



# THE ASSAM GAZETTE

অসাধাৰণ

EXTRAORDINARY

প্ৰাপ্ত কৰ্তৃত্ব দ্বাৰা প্ৰকাশিত

PUBLISHED BY THE AUTHORITY

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No. 68 Dispur, Wednesday, 14th February, 2024, 25th Magha, 1945 (S. E.)

GOVERNMENT OF ASSAM

ORDERS BY THE GOVERNOR

ASSAM LEGISLATIVE ASSEMBLY SECRETARIAT

## NOTIFICATION

The 7th February, 2024

No. LLE.11/2024/20.- The following Bills were introduced in the House on **7<sup>th</sup> February, 2024** along with the Statement of Objects and Reasons are to be published under Rule 71 of the Rules of Procedure and Conduct of Business in Assam Legislative Assembly for General information.

# THE SWAHID KANAKLATA BARUA STATE UNIVERSITY BILL, 2024

## A

## BILL

to establish and constitute a teaching, residential and affiliating University at Gohpur, Assam.

### Preamble

Whereas it is expedient to establish and constitute a teaching, residential and affiliating University at Gohpur, Assam having Open and Distance Learning facilities.

It is hereby enacted in the Seventy-fifth year of the Republic of India as follows :-

### Short title and commencement

1. (1) This Act may be called the Swahid Kanaklata Barua State University Act, 2024.
- (2) It shall come into force at once.

### Definition

2. In this Act, unless there is anything repugnant in the subject or context, -
  - (a) “College” means any College or Institution maintained or managed by the University in accordance with the provision of the Act and the Statues;
  - (b) “Council” means the University Council;
  - (c) “Court” means the University Court, constituted under section 23 of the Act;
  - (d) “Doctors of University” means persons awarded with Doctorate Degree by the University;
  - (e) “Degree College” means the college affiliated to the University in which instruction is given to the students of the College upto a standard leading to the award of any Bachelor’s degree of the University;
  - (f) “Faculty” means a Faculty of the University;
  - (g) “Government” means the Government of Assam;
  - (h) “hall” means a unit of residence for the students of the University maintained or recognized by the University in accordance with the provisions of this Act;
  - (i) “Moderation Board” means a Board constituted in the manner as may be prescribed in the statues for the purpose of scrutinizing and moderating the question papers of various examinations held and conducted by the University from time to time;

- (j) “Patron of the University” means a person who has made a donation of not less than Rs. 100,00,000 to the funds of the University and has been declared by the Chancellor to be a patron of the University;
- (k) “Principal” mean the head of a College and its teaching staff, and includes, where there is no principal, the person for the time being duly appointed to act as Principal, and in the absence of the Principal, a Vice-Principal duly appointed as such;
- (l) “Professional College” means a college imparting instructions in the professional subjects, namely, Law, Medicine, Engineering, Technology, Agriculture, Veterinary, Post-Graduation teachers’ training and such other subjects as may be prescribed from time to time to as professional subject under the university;
- (m) “registered graduate” means a graduate registered under the provisions of this Act;
- (n) “Statutes, Ordinances and Regulations” means respectively, the Statues, Ordinances and Regulations of the University made under this Act;
- (o) “teachers” means a Professor, Readers or a Assistant Professor of the University, or of a College whether constituted or affiliated by the university, or any other person imparting instructions all conducting or supervising or guiding research either in a college or in a department from centre of study of the university and includes a person recognized as a teacher by the University;
- (p) “University” means the Swahid Kanaklata Barua State University;
- (q) “University Professor” or “University Associate Professor” means a Professor or Associate Professor appointed or recognized as such by the University;
- (r) “warden” means the head of a Hall.

**Legal entity of  
the university**

- 3. (1) The first Chancellor, the first Vice-Chancellor of the University and the members of the Court, the Executive Council and the Academic Council and all persons who may hereafter become such officers or members shall constitute the a body corporate by the name of “The Swahid Kanaklata Barua State University”.
- (2) The University shall have perpetual succession and common seal and shall sue and be sued by the said name.
- (3) The University shall be deemed to have been constituted for the purposes, among others, of making provisions for

imparting education, for research and for the advancement and dissemination of knowledge in such subjects as the University may deem fit.

- (4) The University shall be deemed to have to provide instructions, teaching and training in Higher Education and to create centre of excellence for research and development and for sharing knowledge and its applications.

**University open  
to all Classes,  
Castes and  
Creeds**

4. The University shall be open to all persons irrespective of sex, race, creed or class, and it shall not be lawful for the University to adopt or impose any test whatsoever of religious belief or professions in order to entitle a person to be admitted thereto as a teacher or student, or to hold any office therein or to graduate thereat or to enjoy or exercise any privilege thereof, except where such test is specially prescribed by the Statutes or in respect of any particular benefaction accepted by the University or when such test is made a condition thereof by any testamentary or other instrument creating such benefaction.

**Powers of the  
University**

5. The University shall have the following powers, namely :-
- (a) to provide for instruction in such branches of learning as the University may think fit and to make provision for research and for the advancement and dissemination of knowledge;
  - (b) to hold examination and to grant to, and confer Degrees and other academic distinctions to persons who,
    - (i) have passed a course of study in or prescribed by the University, or
    - (ii) are teachers in educational institutions under conditions laid down in the Ordinance and Regulations; and
    - (iii) have passed the examinations of the University under like conditions;
  - (c) to confer honorary degrees or other distinctions, to approved person, in the manner laid down in Statutes;
  - (d) to grant such diplomas to, and to provide such lectures and instructions to, persons not being members of the University as the University may determine;
  - (e) to withdraw or cancel any degrees, diplomas, certificates or other distinctions granted or conferred;
  - (f) to co-operate with other Universities and authorities in such manner and for such purpose as the University may determine;
  - (g) to institute any Professorship, Associate Professorship, Assistant Professorship, Professor of Practice and any other teaching posts required by the University;



- (h) to appoint or recognize persons as Professors, Associate Professors, Assistant Professors and Professor of Practice or otherwise as teachers of the University;
- (i) to institute and award Fellowships, Scholarships, Exhibitions and Prizes, in accordance with the Statutes and Regulations;
- (j) to maintain Colleges and Halls to affiliate Degree Colleges and Halls not maintained by the University and to withdraw such affiliation;
- (k) to demand and receive payments of such fees and other charges as may be authorised by the Ordinances;
- (l) to supervise and control the residence and discipline of students of the University and to make arrangements for promoting their health and general welfare;
- (m) to receive grants from Government and donations from private individual or associations for specific or general purposes;
- (n) to make grants from the funds of the University for assistance to extramural teaching;
- (o) to take, receive, purchase or hold for the purpose of the University any property movable or immovable including any funds, which is or may become vested in the University or placed at its disposal and to grant, demise, alienate, transfer or otherwise dispose of or administer all or any such property or fund for any purpose of the University under this Act including construction of any building, roads, tanks, pipelines or any other structure and also to do all other acts, incidental or appertaining thereto;
- (p) to constitute for the benefit of its officers and employees such pensions and provident funds as it may deem fit in such manner and subject to such conditions as may be prescribed;
- (q) to do all such other acts and things, whether incidental to the powers aforesaid or not, as may be required in order to further the objectives of the University as the Teaching and Examining body, and to cultivate and promote Arts, Science and other branches of learning;
- (r) to promote interdisciplinary and trans-disciplinary courses by establishing departments or centers to such effect with faculty members from various disciplines;
- (s) to develop the University into an academic hub of Multidisciplinary education and Research;
- (t) to design courses with employability and entrepreneurship in perspective; and in such a manner that it shall have scope to attract foreign students.

**Teaching of the University**

6. (1) All recognized teaching in connection with the University course shall be conducted under the control of the Academic Council by Teachers of the University and shall include lecturing and laboratory work and other teaching conducted in accordance with any syllabus prescribed in the Regulations.
- (2) All the courses shall be in line with National Education Policy-2020 and the related notifications or guidelines or O.M issued by Government of Assam from time to time.
- (3) The authorities responsible for organizing such teaching shall be prescribed in the Statutes.
- (4) The courses and curricula shall be prescribed by the Ordinance and subject thereto, the Regulations of the university.
- (5) The courses shall be designed with employability and entrepreneurship in perspective.
- (6) The courses shall be designed in such a manner that it shall have scope to attract foreign students.
- (7) To develop the University into an academic hub of Multidisciplinary education and Research.

**Officers of the University**

7. The following shall be the Officers of the University:-
  - (i) The Chancellor;
  - (ii) The Vice-Chancellor;
  - (iii) The Rector;
  - (iv) The Registrar;
  - (v) The Academic Registrar;
  - (vi) Dean, Research and Development;
  - (vii) Dean, Extension Activities;
  - (viii) Dean, Students Welfare;
  - (ix) Controller of Examination;
  - (x) The Finance Officer; and
  - (xi) Such other Authorities and Officers as may be provided for by the Statutes.

**Chancellor**

8. (1) The Governor of Assam shall be the Chancellor of the University.
- (2) The Chancellor by virtue of his office shall be the head of the University and the President of the Court and shall, when present, preside at any Convocation of the University.

**Powers and  
Duties of the  
Chancellor**

9. (1) Where power is conferred upon the Chancellor by this Act or by the Statutes to nominate persons to the authorities of the University or other bodies thereof, the Chancellor shall, to the extent necessary, nominate persons to represent the interest of the minorities, Scheduled Tribes and Scheduled Castes and interest not otherwise represented.
- (2) Every proposal to confer an honorary degree shall be subject to the confirmation of the Chancellor.
- (3) The Chancellor shall have the power to cause an inspection, by himself or by such person or persons as he may direct, of the properties of the University, its buildings, laboratories and equipments and of the Colleges or Institutions maintained by the University and also of the examinations, teaching and other works conducted or done by the University and to cause an enquiry to be made in like manner in respect of any matter connected with the University.
- (4) The Chancellor shall, in every such case, give notice to the Executive Council of his intention to cause an inspection or enquiry to be made and the Executive Council shall be entitled to appoint a representative who shall have the duty and right to be present and be heard at such inspection or enquiry.
- (5) The Chancellor may address the Vice-Chancellor with reference to the result of such inspection and enquiry and the Vice-Chancellor shall communicate to the Executive Council the views of the Chancellor with such advice as the Chancellor may offer upon the action to be taken thereon.
- (6) The Executive Council shall communicate through the Vice-Chancellor to the Chancellor such action, if any, as it is proposed to take or has been taken upon the result of such inspection or enquiry.
- (7) When the Executive Council does not, within a reasonable time, take action to the satisfaction of the Chancellor, the Chancellor may, after considering any explanation furnished or representation made by the Executive Council, issue such directions as he may think fit and the Executive Council shall be bound to comply with such directions.
- (8) Expenses that may be incurred in connection with such inspection or enquiry and certified as such by the Chancellor, shall be a charge on the University.
- (9) The Chancellor shall have such other powers as may be conferred on him by or under the provisions of this Act.
- (10) The Chancellor as the Head of the University shall have the power to suspend the activities of the various authorities of the University as and when circumstances so demand and vest

all powers and functions of these authorities in his own hand or to control the affairs of the authority or authorities so suspended in such manner and for such a period as deemed fit and reasonable by him.

- Vice-Chancellor** 10. (1) The Vice-Chancellor shall be appointed by the Chancellor on the recommendation of an Advisory Board constituted by the Chancellor for the purpose which shall consist of three members of whom one member shall be elected by the Executive Council, one member shall be nominated by the State Government and one member shall be nominated by the Chancellor. The Chancellor shall appoint one of them as Chairperson of the Advisory Board.
- (2) The Advisory Board shall recommend a panel of three persons to the Chancellor who may appoint one of the persons recommended to be the Vice-Chancellor. If the Chancellor does not approve any of the person recommended by the Advisory Board, he may call for the fresh recommendation.
- (3) The Vice-Chancellor shall be a whole time officer of the University who shall hold office for a period of five years and shall be eligible for re-appointment. He shall retire on the date he attains the age of 70 years.
- (4) The emoluments and other terms and conditions of service of the Vice-Chancellor shall be determined by the Chancellor:
- Provided that the salary of the Vice-Chancellor shall not be less than Rs. 2,50,000 per month including all allowances.
- (5) Whenever there is any temporary vacancy in the office of the Vice-Chancellor by reasons of leave, illness or resignation or other causes, the Chancellor shall make such other arrangements temporarily as he may think fit for exercising the powers and performing the duties of the Vice-Chancellor for such period as deem necessary. The Chancellor shall determine the emoluments or allowances if any payable to such a person temporarily appointed to exercise the powers and duties of the Vice-Chancellor.

**Powers and  
duties of the  
Vice-Chancellor**

11. (1) The Vice-Chancellor shall be the principal executive and academic officer of the University, and shall, in the absence of the Chancellor, preside at meetings of the Court and any convocation of the University. He shall be an ex-officio member and Chairperson of the Executive Council, the Standing Finance Committee, the Construction Committee and of the Academic Council and shall be entitled to be present and to speak at any meeting of any authority or other body of the University. When present, he shall preside over all such meetings.

- (2) It shall be the duty of the Vice-Chancellor to ensure that the provisions of this Act, the Statutes, the Ordinances and the Regulations are duly observed.
- (3) The Vice-Chancellor shall have power to convene meetings of the Court, the Executive Council, the Academic Council, the Finance Committee and the Construction Committee.
- (4) In any emergency which, in the opinion of the Vice-Chancellor requires that immediate action should be taken, the Vice-Chancellor shall take such action as deemed necessary and shall at the earliest opportunity, report his action to the officer, authority or other body who or which in the ordinary course, would have dealt with the matter.
- (5) When any such action taken by the Vice-Chancellor affects any person in the service of the University, such persons shall be entitled to prefer an appeal to the Executive Council through the officer, authority or body of the University within thirty days from the date on which such action is communicated to him.
- (6) The Vice-Chancellor shall give effect to any order of the Executive Council regarding the appointment, dismissal or suspension of an officer or Teacher of the University or regarding the recognition or withdrawal of the recognition of any such teacher and shall exercise general control in the University. He shall be responsible for maintenance of discipline in the University.
- (7) The Vice-Chancellor shall exercise such other powers as may be prescribed by the Statutes and Ordinances.
- (8) In consultation with the appropriate officers of the University, the Vice-Chancellor shall be responsible for taking such steps as may be necessary for the full co- ordination of teachings, research and extension activities of the University.
- (9) The Vice-Chancellor shall be responsible for the creation of conditions conducive to maximum progress in the development of new information and technology in Sciences, Social sciences and Humanities, their inclusion in the curricula and application in practice throughout the State.

**Rector**

12. (1) The Rector shall be appointed by the Chancellor on the recommendation of the Vice-Chancellor on such emoluments and allowances as may be fixed by the Chancellor. He or she shall hold office for a term of five (5) years and shall be eligible for re-appointment.
- (2) The Rector shall exercise such powers and perform such duties of the Vice- Chancellor as may, from time to time, be delegated to him or her by the Vice- Chancellor.



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| <b>The Registrar</b>                      | <p>13. (1) The Registrar shall be appointed by the Executive Council on such terms, conditions and remunerations as may be prescribed.</p> <p>(2) The term of office of the Register shall be for five years but he may be eligible for re-appointment.</p> <p>(3) The Registrar shall be the Ex-officio Secretary of the Court, the Executive Council and of the Construction Committee:</p> <p style="padding-left: 40px;">Provided that, notwithstanding anything contained in this Act, the Executive Council may either for specific purpose or in general, appoint any other officer of the University as a Secretary of any of the said authorities.</p>   |
| <b>Powers and duties of the Registrar</b> | <p>14. Powers and duties of the Registrar shall be the following, namely:-</p> <p>(i) to be the custodian of the records, common seal and such other property of the University as the Executive Council shall commit to his charge and to manage such properties;</p> <p>(ii) to sign and verify all contracts and agreements made on behalf of the University and to act as Secretary of such other Committees as may be prescribed by the Statues;</p> <p>(iii) to conduct the official correspondence between the Court and the Executive Council;</p> <p>(iv) to issue all notices convening meetings of all such Committees or Councils or Boards of which he or she is the Secretary;</p> <p>(v) to arrange for and conduct the examinations of the University till such time till the University appoints other officers, if any, for this purpose; and</p> <p>(vi) to perform such other work as may, from time to time, be prescribed by the Executive Council.</p> |
| <b>The Academic Registrar</b>             | <p>15. (1) The Academic Registrar shall be appointed from amongst the Professors of the University by the Registrar on recommendation of the Executive Council. He shall be the Secretary of the Academic Council and shall be responsible for preparation of curriculum, syllabus and text books for different courses of the University. The term of the Academic Registrar is for five years but may be reappointed,</p> <p>(2) The Academic Registrar shall support the Vice-Chancellor and the Registrar on all academic matters.</p>  |
| <b>Dean, Research and Development</b>     | <p>16. The Executive Council shall appoint the Dean, Research and Development from amongst the Professors of the University for a period of three years on the recommendation of the Vice-Chancellor.</p>   |
| <b>Dean, Extension Activities</b>         | <p>17. The Executive Council shall appoint the Dean, Extension Activities from amongst the Professors of the University for a period of three years on the recommendation of the Vice-Chancellor.</p>   |

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| <b>Dean, Students Welfare</b>     | 18. | The Executive Council shall appoint the Dean, Students Welfare from amongst the Professors of the University for a period of three years on recommendation of the Vice-Chancellor.  |
| <b>Controller of Examination,</b> | 19. | <p>(1) The Controller of Examination shall be a permanent employee of the University and shall be appointed by the Executive Council;</p> <p>(2) It shall be the duty of the Controller of Examinations to hold various examinations of the University and its constituent and affiliated Colleges, if any;</p> <p>(3) The Controller of Examinations shall be the authority to hold examinations and shall ensure that the results are declared in time.</p>   |
| <b>Finance Officer</b>            | 20. | <p>(1) The Finance Officer shall be a whole-time salaried officer of the University and shall be appointed by the Executive Council for a period of five years on such terms, conditions and remuneration as may be prescribed. He may be eligible for re - appointment.</p> <p>(2) The Finance Officer shall exercise general supervision over the funds of the University and advice in regard to its financial policy.</p> <p>(3) Subject to the control of the Executive Council he shall manage the investments of the University and be responsible for the preparation and presentation of the annual estimates and statements of accounts and for proper maintenance of the accounts.</p> <p>(4) He shall be Responsible for record of Annual Estimates and statements of accounts and for proper maintenance of the accounts.</p> <p>(5) Subject to the powers of the Executive Council, the Finance Officer shall be responsible for ensuring that all money are expended for the purposes for which they are granted or allotted.</p> <p>(6) The Finance Officer shall exercise such other powers as may be prescribed by the Statutes and the Ordinances :</p> <p style="padding-left: 40px;">Provided that the Chancellor may on the recommendation of the Executive Council, in the case of any casual vacancy in the office of the Finance Officer, direct that the Registrar shall act as Finance Officer and perform all duties and exercise all the powers of the Finance Officer, and when any such directions has been made, all references to the Finance Officer in this Act, the Statutes, the ordinances and the Regulations shall be deemed to be reference to the Register.</p> |



- Appointment of First Officers** 21. The first Registrar, the first Finance Officer and the first Controller of Examination shall be appointed by the Vice-Chancellor on recommendation of the Government. The tenure of such officers shall be maximum for a period of two years.
- Authorities of the University** 22. The following shall be the Authorities of the University
- (1) The University Court;
  - (2) The Executive Council;
  - (3) The Academic Council;
  - (4) The Post-Graduate Board;
  - (5) The Under-Graduate Board;
  - (6) The Board of Studies;
  - (7) The Finance Committee;
  - (8) The Selection Committee;
  - (9) Such other authorities as may be declared by the Statutes to be authorities of the Court.
- The University Court** 23. The Court shall consists of the following persons, namely :
- Ex-officio members :-**
- (i) The Chancellor;
  - (ii) The Vice-Chancellor;
  - (iii) The Rector;
  - (iv) The Minister of Education;
  - (v) The Registrar;
  - (vi) The Finance Officer;
  - (vii) The Secretary to the Government of Assam in the Education Department;
  - (viii) The Director of Higher Education, Assam;
  - (ix) The Director General of Police, Assam;
  - (x) The Registrar of Cooperative Societies, Assam;
  - (xi) The Director of Health Services, Assam;
  - (xii) The Director of Health Services, Assam;
  - (xiii) The Director of Agriculture, Assam;
  - (xiv) The Director, Information Technology;

- (xv) The Secretary to the Government of Assam, Department of Entrepreneurship and Skill Development;
- (xvi) The Vice-Chancellor or his nominee from National Law University, Guwahati;
- (xvii) The Vice-Chancellor of any University in the State;
- (xviii) One-third of the Principals of Degree Colleges affiliated to the University by election from among themselves in the manner prescribed by the statutes. In case the number of Degree Colleges affiliated to the University being not divisible by three and found to be more than half, one more College may be included by if it is less than half, it may be ignored;
- (xix) ten (10) persons from the Heads of Departments and Professors of the University being allotted Faculty-wise by rotation to be decided by the Executive Council;

**Other Members:**

- (xx) persons not exceeding ten (10) in number, nominated by the Chancellor from amongst the donors, each of whom has contributed a sum of rupees fifty lakhs or more to the University;
- (xxi) seven (7) person elected by the members of the Assam Legislative Assembly from amongst themselves;
- (xxii) two (2) members of the Board of Secondary Education, Assam elected by the aforesaid Board;
- (xxiii) ten (10) persons of whom at least two shall be from the professional Degree Colleges to be elected by the teachers, other than the Heads of Departments and Professors of the Departments of the University and the Principals of the constituent and affiliated Degree Colleges from amongst themselves;
- (xxiv) two (2) Registered Graduates elected by the Registered Graduates of the University who are not employees or students of the University or affiliated colleges;
- (xxv) ten (10) persons distinguished in Literature, Law, Medicine, Engineering, Technology, Industry, Commerce and Public life nominated by the Chancellor,
- (xxvi) seven (7) representatives to be elected by the post-graduate students of the University from amongst themselves :

Provided that a student to be so elected must have been a student of the University for at least one year prior to his election:

Provided further that no student who has taken more than one year in excess of the period prescribed for the course of which he is a student shall be eligible for such election.

- (xxvii) two (2) representatives to be elected by the Law Students of the University from amongst themselves:

Provided that a student to be so elected shall have been a student of the University for at least one year prior to his election:

Provided further that no student who has taken more than one year in excess of the period prescribed for the course of which he is a student shall be eligible for such election.

- (xxviii) two (2) persons to be nominated by the Chancellor from amongst those whose interests are not otherwise represented. Save as otherwise provided, except the ex-officio members, the other members shall hold office for a period of three years from the date of their election or nomination, as the case may be:

Provided that no person nominated or elected in his capacity as a member of a particular body or as a holder of a particular appointment shall be a member after he ceases to be a member of that body or holder of that appointment, as the case may be:

Provided further that any member elected or nominated shall hold office for a period of one year only from the date of his election or nomination, as the case may be. He shall cease to be a member of the court of his ceasing to be a student of the University. When a person ceases to be a member of the Court he shall cease to be a member of any of the authorities or Committees of the University of which he may happen to be a member by virtue of his membership of the Court. With the approval of the Court, the Vice-Chancellor may remove a member, elected under clause (xxviii) of above if he does not fulfill the conditions laid down in the proviso above mentioned.

#### Meetings of Court

24. (1) The Court shall meet at least twice a year on dates to be fixed by the Vice-Chancellor, whenever he thinks fit, and shall upon a requisition in writing signed by not less than one-third of the members of the Court, convene a special meeting of the Court.

**Powers and duties of the Court**

- (2) The Vice-Chancellor, whenever he thinks fit, and shall upon a requisition in writing signed by not less than one-third of the members of the Court, convene a special meeting of the Court.

25. Subject to the provisions of this Act, the Court shall have the following powers and duties, namely:

- (a) to review from time to time, the broad policies and programmes of the University, and to suggest measures for the improvement and development of such policies, programme, works and other affairs;
- (b) to consider the annual report, the annual account, the audit report and the statement of the financial estimates for the ensuring year, to approve the financial estimates with such comments, if any, to express its views on the annual report, the annual account and the audit report and to suggest such measures as it may deem proper in the matters covered by them;
- (c) to approve, with or without modifications, the Statutes submitted by the Executive Council:

Provided that before making any modifications to the Statutes submitted by the Executive Council, the Executive Council shall be given an opportunity to consider the modification proposed by the Court and the Court shall consider the opinion expressed by the Executive Council on such modification.

**The Executive Council**

26. (1) The Executive Council shall be the Executive body of the University and shall consist of the following members:

**Ex-officio Members:-**

- (i) The Vice-Chancellor;
- (ii) The Rector;
- (iii) The Director of Higher Education, Assam;
- (iv) The Director of Technical Education, Assam;
- (v) One nominee of the Chancellor or Government of Assam;
- (vi) One nominee from Higher Education department, not below the rank of Secretary, Govt. of Assam;

**Other Members:-**

- (vii) Two Principals of non- Government affiliated Degree Colleges to be elected from amongst themselves,
- (viii) One Principal of Government affiliated Degree Colleges to be elected from amongst themselves,

- (ix) Two Heads of Department, other than Deans of Faculties, of the University who are Professors, to be chosen by the Vice-Chancellor by rotation according to seniority for a period of three years,
  - (x) One Dean of Faculty to be chosen by the Vice-Chancellor from the Deans of Faculties of the University for a period of three years, by rotations according to seniority,
  - (xi) Three members to be elected by the Court from amongst its members at its Annual General Meeting other than employees and students of the University or the affiliated Colleges.
  - (xii) Two Teachers other than a Dean of Faculty of the University and the Principals of the affiliated Colleges, to be elected by the Academic Council from amongst such Teachers who are its members,
  - (xiii) Three persons of whom at least one shall be a woman nominated by the Chancellor, and
  - (xiv) Three persons nominated by the Government.
- (2) Save as otherwise provided and except the ex-officio members all other members shall hold office for a period of three years from the date of their election or nomination, as the case may be:
- Provided that no person nominated or elected in his capacity as a member of a particular body or as a holder of a particular appointment shall be a member after he ceases to be a member of that body or holder of that appointment, as the case may be.
- (3) When a person ceases to be a member of the Executive Council he shall cease to be a member of any of the authorities of the University of which he may happen to be a member by virtue of his membership of the Executive Council:

Provided that the Government shall appoint a date not later than six months from the date of commencement of this Act for constitution of the Court and the Executive Council.

**Powers and  
duties of the  
Executive  
Council**

27. (1) The Executive Council shall hold, control and administer the property and funds of the University and shall appoint a Finance Committee to advise it on matters of finance consisting of six members of whom the Vice-Chancellor shall be the Chairperson, the Finance Officer shall be the Secretary and the other four members shall be appointed as follows :
- (a) two members to be elected to the Executive Council from amongst its members, and

- (b) two members to be nominated by the Government one from the Finance Department and the other from the Education Department of this Government;
- (2) It shall do all acts appertaining or incidental to the construction of buildings, roads, tanks, pipelines and other structures of the University and for the purpose shall appoint a Construction Committee, the Building and Works Committee (BWC), consisting of seven members of whom the Vice-Chancellor shall be the Chairman, the Registrar shall be the Secretary, the Finance Officer a member and the remaining four members shall be appointed from amongst the members of the Executive Council with power to co-opt experts as members who shall have no power to vote:
- Provided that at least one member of the Committee shall be appointed from amongst the members elected to the Executive Council by the Court.
- (3) It shall determine the form and regulate the use of the common seal of the University.
- (4) It shall lay before the Government annually a full statement of the financial requirements of the University and the Colleges, if any, maintained by it.
- (5) It shall administer any funds placed at the disposal of the University for any specific purpose including those given for the purpose of buildings, roads, tanks, pipelines and other structure of the University;
- (6) It shall appoint officers (other than the Chancellor, the Vice-Chancellor and the Rector), Teachers, Librarian, the Proctor, the clerical staff and other employees of the University and shall define their duties and conditions of service and shall provide for the filling up of service of temporary vacancies;
- (7) It shall have the power to accept on behalf of the University bequests, endowments, donations or transfer any movable or immovable property;
- (8) It shall have the power, subject to the Statutes, to recognize or withdraw recognition from a College or Hall not maintained by the University;
- (9) It shall arrange for the holding of, conducting and publishing the results of the University Examination and shall subject to the powers conferred by this Act on the Vice-Chancellor, regulate and determine all matters under this Act concerning the University in accordance with this Act, the Statutes and the Ordinances:

Provided that no action shall be taken by the Executive Council in respect of the members qualifications or emoluments of Teachers, otherwise than in consultation with



the Academic Council and shall exercise all the powers of the University not otherwise provided for.

- (10) It shall exercise all other powers of the University of which no specific provisions have been made in this Act or in the Statutes.

**The Academic Council**

28. (1) The Academic Council shall be the academic body of the University and shall subject to the provisions of this Act, the Statutes and the Ordinances, have the control and general regulation of and be responsible for the maintenance of standard of instruction, education and examination within the University, and shall exercise such other powers and perform such other duties as may be conferred and imposed upon it by the Statutes. It shall have the right to advise the Executive Council on all academic matters. The constitution of the Academic Council and the terms of office of its members, other than ex-officio members shall be prescribed by the Statute.

- (2) The Academic Council shall consist of the following members:

**(A) EX-OFFICIO MEMBERS:-**

- (i) the Vice-Chancellor;
- (ii) the Director of Higher Education, Assam;
- (iii) the Director of Technical Education, Assam;
- (iv) the Deans of the Faculties;
- (v) Dean of Research and Development;
- (vi) Dean of Extension Activities;
- (vii) the Professors of the University;
- (viii) Heads of Departments of teaching;
- (ix) the Librarian of the University;

**(B) OTHER MEMBERS:-**

- (x) five persons of whom at least one shall be a Principal of a Professional College, elected by the Principals of colleges from among themselves;
- (xi) fifteen persons to be elected from amongst the teachers of the affiliated colleges and of the University of whom at least twelve shall be from the affiliated colleges;
- (xii) persons not exceeding three, other than teachers of the University appointed by the Chancellor being persons who by reasons of their possessing expert



knowledge in subjects named for the purpose by the ex-officio members of the Academic Council are in the opinion of the Chancellor fitted to serve in the Council;

- (xiii) two persons to be elected by the Court are not employees or students of the University or the affiliated colleges; and
  - (xiv) one Education Officer of the Board of Secondary Education, Assam, to be nominated by the Chairperson of the aforesaid Board.
- (b) Save as otherwise provided and except the ex-officio members all other members shall hold office for a period of three years from the date of their election or nomination, as the case may be.
- (c) When a person ceases to be a member of the Academic Council he shall cease to be a member of any of the authorities of the University of which he may happen to be a member by virtue of his membership of the Academic Council.

The Academic Council shall have the following powers namely:-

- (i) to make proposals to the Executive Council for the Institution of Professorship, Associate Professorship, Assistant Professorship, Professor of Practice or other teaching posts, and in regard to the duties and emoluments thereof;
- (ii) to submit to the Executive Council draft Regulations regarding method and manner of conducting examinations including setting up of Moderation Boards and to award in accordance with such Regulations, Fellowships, Scholarships, Exhibitions, Medals and other rewards;
- (iii) to recommend examiners for appointments to be made by the Vice-Chancellor after report from the Faculties concerned;
- (iv) to control the University Library, to frame Regulations regarding its use, and to appoint a Library Committee under the general control of the Academic Council to manage the affairs of the Library;
- (v) to assign subjects to the Faculties;
- (vi) to assign teachers to the Faculties;

- (vii) to promote research with the University including the establishment of a Research Council and to require reports on such research from the persons employed therein;
- (viii) to provide for the inspection of Colleges and Halls in respect of the instruction and discipline therein, and to submit report thereon to the Executive Council;
- (ix) to organize teaching in the University and to control the work of teachers, and
- (x) such other powers and duties as may be assigned to it under the Statutes.

### **Faculties**

29. (1) The University shall include Faculties of Arts, Science, Law, Medicine, Technology, Agriculture, Engineering, Commerce and Indian Fine Arts and such other Faculties as may be prescribed by the Statutes.
- (2) Each Faculty shall, subject to the control of the Academic Council, have charge of the teaching and the course of study and the research work of such subjects as may be assigned to such Faculty by the Ordinances.
- (3) Each Faculty shall consist of,
- (i) the Heads of the Departments comprised in the Faculty;
  - (ii) such teachers of subjects assigned to the Faculty as may be appointed to the Faculty by the Academic Council;
  - (iii) such teachers of subject not assigned to the Faculty but having, in the opinion of the Academic Council, an important bearing on these subjects, as may be appointed to the Faculty by the Academic Council; and
  - (iv) ten (10) teachers of the affiliated colleges representing different subjects to be elected from amongst themselves:
- Provided that a teacher so elected shall hold office for a period of two years from the date of his election;
- (v) such other persons as may be appointed to the Faculty by the Academic Council on account of their possessing expert knowledge in a subject or subjects assigned to the Faculty:

Provided that the total number of members of each Faculty shall not exceed twenty eight (28)

members in the case of the Faculties of Arts and Science and twelve (12) members in the case of any other Faculty, except with the sanction of the Chancellor given on the request of the Academic Council.

- (4) Subject to the provisions of this Act, each Faculty shall have the following powers, namely:-
- (i) to constitute the Committee of Courses and Studies in the Departments assigned to it;
  - (ii) to recommend to the Academic Council, the Courses of studies for the different examinations, after consulting the Committees of Courses and Studies;
  - (iii) to recommend to the Academic Council, after consulting the Committees of Courses and Studies, the names of the examiners in subjects assigned to the Faculty;
  - (iv) to recommend to the Academic Council the conditions for the award of Degrees, Diplomas and other Distinctions;
  - (v) subject to the control of the Academic Council, to organize research in the subject assigned to the Faculty; and
  - (vi) to deal with any other matters referred to it by the Academic Council.
- (5) There shall be a Dean of each Faculty who shall be responsible for the due observance of Statutes, Ordinances and Regulations relating to the Faculty. He shall be the Executive Officer of the Faculty and shall preside at its meeting.
- (6) Each Faculty shall comprise such Departments to teaching as may be prescribed by the Ordinances. The Head of every such Department shall be the Professor of the Department, or if there is no Professor, then the senior most Associate Professor. If there is more than one Professor or more than one Associate Professors of a Department, the Vice-Chancellor shall appoint to be the Head of the Department, such one of the Professors or, if there is no Professor, such one of the Associate Professors as he or she thinks fit. The head of the Department shall be responsible to the Dean for the organization of the teaching in the Department.
- (7) The Dean of Faculty shall be elected by the Faculty from amongst the Heads of the Departments of the Faculty and he shall hold office of Dean for a period of three years.

**Selection  
Committee**

30. (1) There shall be a Selection Committee for making recommendations to the Executive Council for appointment of Professors, Associate Professors, Assistant Professor, Registrar, Finance Officer, Librarian and other officers of the University as may be provided for by the Statutes consisting of the following members:
- (i) the Vice-Chancellor as Chairperson of the Selection Committees ;
  - (ii) three persons not holding any office of profit under the University of whom one shall be nominated by the Chancellor or to be nominated by the State Government and the others to be nominated by the Executive Council;
  - (iii) the Registrar shall be the Member-Secretary of the Selection Committee except for the selection in the Selection Committee for the appointment of Registrar in which case the Vice-Chairperson shall nominate one person as Member — Secretary in consultation with the Executive Council.
- (2) In making recommendations for the appointment of Professor's of the University, the Selection Committee shall co-opt the Head of the Department concerned, if he is a Professor, one Professor of the Department to be nominated by the Executive Council out of the panel of not less than five names of person recommended by the Academic Council who have special knowledge of the subject for which the Professor is to be selected.
- (3) In making recommendations for the appointment of Associate Professor's or Assistant Professors and other teachers of the University, the Selection Committee shall co-opt the Head of the Department concerned, one Professor of the Department to be nominated by the Vice- Chancellor and two persons to be nominated by the Executive Council out of a panel of not less than five names of persons recommended by the Academic Council being persons not connected with the University, who have special knowledge of or interest in the subject for which the Associate Professor or Assistant Professor is to be selected:

Provided that where the Executive Council proposes to make an appointment otherwise than in order of merit arranged by the Selection Committee in the post of Professors, Associate Professor or Assistant Professors it shall record its reasons in writing and submit them to the Chancellor who may approve the proposal or return it to the Executive Council for reconsideration. After reconsideration. If the Executive Council desires to pursue its original proposal, it shall refer the matter again to the Chancellor for decision which shall be the final:

Provided further that, whereas Selection Committee recommends to the Executive Council the name of one person only and that person is not acceptable to the Executive Council, the Executive Council shall record its reasons in writing for not accepting the recommendation and direct the Registrar to advertise the vacancy again and convene a meeting of the Selection Committee for making fresh recommendation and in so doing communicate to every member of the Selection Committee the reasons recorded as above.

- (4) The Council shall record its reason in writing for not accepting the recommendation and direct the Registrar to advertise the vacancy again and convene a meeting of the Selection Committee for making fresh recommendation, and in so doing, communicate to every member of the Selection Committee the reasons recorded as above.
- (5) Where an appointment is to be made to a temporary vacancy of Teachers of the University, the appointment shall be made, if vacancy is for a period of one year or more, on the recommendation of the Selection Committee in accordance with the provisions of the preceding sub-section and no ad-hoc appointment shall be made by the Executive Council.
- (6) If a member of the Selection Committee is unable to attend, he may send his opinion in writing to the Vice-Chancellor and such opinion shall be taken into consideration by the Committee in making its recommendations.

**Explanation:** For the purpose of this section, the co - opted members shall be deemed to be members of the Selection Committee for the purpose for which they are co - opted.

#### **Appointment of Teachers**

31. (1) The teachers of the University may be appointed by the Executive Council after considering the recommendation of the Selection Committee consisting of the Vice-Chancellor and such other person or persons in a manner as may be prescribed.
- (2) The seniority of the teachers in the integrated degree and post-graduate course shall be maintained as per norms.
- (3) The headship in the department shall rotate every three years among those who are eligible for it.
- (4) The University shall not create any post without the approval of the State Government.
- (5) If the Executive Council does not accept any of the

recommendations of the Selection Committee, it shall refer the matter to the Chancellor, stating clearly the reasons for not agreeing with the Selection Committee, and the decision given by the Chancellor thereon shall be final.

- (6) The Executive Council shall constitute one or more Committees for making recommendations to the Executive Council for appointment to other administrative posts and may prescribe by Ordinance the procedure and method to be followed in making such recommendations.

**Finance  
Committee**

32. (1) There shall be a Finance Committee of the University consisting of the following members, namely:-
- (i) the Vice-Chancellor as Chairman;
  - (ii) two members elected from the Court from amongst its members;
  - (iii) two members elected by the Executive Council from its members;
  - (iv) one member nominated by the Chancellor;
  - (v) one member to be nominated from the Finance Department;
  - (vi) one member to be nominated from the Education Department;
  - (vii) Finance Officer; and
  - (viii) Registrar (Administration).

**Powers of  
Finance  
Committee**

33. (1) The powers of the Finance Committee shall be as follows :-
- (i) to examine the annual budget estimates and to give advice and suggestion to the Executive Council thereon;
  - (ii) to make recommendations to the Executive Council relating to the Finance of the University;
  - (iii) to examine every proposal for new expenditures involving sum of money exceeding rupees five lakhs and to advise the Executive Council thereon;
  - (iv) to review the financial position of the University periodically;
  - (v) to suggest in general the means for the improvement of the financial position of the University;
  - (vi) to consider and recommend revision of grades of pay and grades of pay of new posts to the Executive Council;



**Students'  
Advisory  
Council**

(vii) to deal with such other matters relating to the financial matters of the University as may be prescribed by the Statutes and Ordinances.

34. (1) There shall be a Students' Advisory Council which shall consist of the following members namely:

(i) One Chairperson to be nominated by the Vice Chancellor from amongst the teachers of the University.

(ii) The Director of Students Welfare shall be the ex-officio Finance Officer.

(iii) President, Vice-President and the Secretary of the University Post Graduates Students' Union.

(iv) Ten (10) students from ten (10) affiliated Degree Colleges to be selected by the Executive Council by rotation in the manner to be prescribed by the Statutes.

(v) One student from each teaching faculty of the University to be elected as prescribed by the Statutes.

(vi) Five students one from each of the five activities mentioned below who have shown outstanding performances in the following activities to be nominated by the Vice- Chancellor, namely,-

(a) Sports;

(b) National Service Schemes;

(c) National Cadet Corps;

(d) Cultural activities;

(e) National Discipline Scheme.

(vii) Four female students to be nominated by the Vice-Chancellor.

(viii) The Director of Sports and Physical Education, if any.

(ix) The members of the Students' Advisory Council shall elect from amongst themselves the Secretary of the Council.

(2) The term of office of the members of the Students' Advisory Council, other than ex-officio members shall be one year.

(3) The quorum to constitute a meeting of the Students' Advisory Council, the rule of procedures and conduct of business to be followed at the meeting, the period within which a meeting shall be called and such other matters shall be prescribed by the Statutes:



Provided that no student shall be eligible to be or continue to be a member of the Students' Advisory Council unless he is enrolled as a student or after he attains the age of twenty-five years. A student member shall cease to be such member if he fails to pass at the next University Examination.

- (4) The function of the Students' Advisory Council shall be as follows, namely:
- (i) To make recommendations to the Executive Council and the Academic Council in the matter effecting the Students corporate life of the University in so far as it concerns the students and the co-curricular and extra-curricular activities in the University and the Degree Colleges affiliated to the University.
  - (ii) All rules effecting discipline, welfare, sports, library, management of hotels, students home, Extension work, social work, students health, National Service Scheme, N.C.C. etc., shall be placed before the Students' Advisory Council for its views before any decision is taken by the Executive Council.
  - (iii) The Vice-Chancellor or any authority of the University may ask for the views of the Students' Advisory Council on any matter concerning the welfare of students.
  - (iv) The Chairperson of the Students' Advisory Council shall be the authority to decide whether a matter does or does not concern the students.
  - (v) The Students' Advisory Council shall frame in own rules of business and shall submit the same to the Executive Council for consideration and approval.

**Other  
authorities of  
the University**

35. The constitution, powers and duties of such other Authorities as may be declared by the Statutes shall be provided for in the manner prescribed by the Statutes.

**Other Boards of  
the University**

36. (1) The University shall include a Residence, Health and Discipline Board and such other Boards as may be prescribed by the Statutes.
- (2) The constitution, power and duties of the Residence, Health and Discipline Board and of all other Boards of the University shall be prescribed by the Ordinance.

**Research and  
Development  
Activities**

37. (1) Experimental and Research Stations shall be established under the University subject to the provisions of this Act and the Statutes which shall have the responsibility for Research, both fundamental and applied.

- (2) Research activities shall be conducted at the University departments, Incubation centers and Extension centers at other Higher Education Institutions, if any.
- (3) Some of the Research activities are to be based on ideas and thrust areas, as identified by National Research Foundation (NRF) and State Research Foundation (SRF).
- (4) The Research Programmes shall be initiated and developed by Dean of Research and Development under the guidance of the Academic Council. The Dean shall be responsible to the Vice-Chancellor for producing quality research from the University, as per applicable norms and mandates, upon receiving autonomy in functioning and necessary institutional and financial support from the University, as per applicable norms.
- (5) The Vice-Chancellor shall be responsible for taking steps in granting autonomy in extension activities as per requirement and ensure facilitation of all necessary support and coordination of Research of the University. The Vice-Chancellor may constitute a committee to assist the Dean of Research and Development for outcome based research initiatives.

**Extension  
Activities and  
community  
engagement**

38. (1) In addition to teaching and research, the University shall have other crucial responsibilities which they will discharge through appropriate resourcing, incentives and structures. These include supporting other HEIs in their development, community engagement and service, contribution to various fields of practice.
- (2) Extension and community engagement programmes shall be established in the University subject to the provisions in this Act and the Statutes to make useful information based upon the findings of research available to community and society to help and solve their problems. It shall conduct demonstration and training programmes for the benefit of students through experiential learning.
- (3) Holistic development of students and mutual benefit to society through education shall be the principal objective of all extension activities and these activities shall be coordinated with the other functions of the University and other appropriate agencies of the State.
- (4) In order that the University may conduct such educational activities, the State Government shall provide the necessary personnel, facilities and funds in accordance with a plan to be developed and mutually agreed upon by the University and the Government.

- (5) The Extension Programmes shall be initiated and developed by Dean of Extension programmes under the guidance of the Academic Council. The Dean shall be responsible to the Vice-Chancellor for fulfillment of Institutional Social Responsibility (ISR) mandates upon receiving autonomy in functioning and necessary Institutional and financial support from the University, as per applicable norms.
- (6) The Vice-Chancellor shall be responsible for taking steps in granting autonomy in extension activities as per requirement and ensure facilitation of all necessary support and coordination of teachings and extension activities of the University. The Vice-Chancellor may constitute a committee to assist the Dean of Extension programme for fulfilment of desired objectives.

**Statutes**

39. (1) Subject to the provisions of this Act, the Statutes may provide for all or any of the following matters, namely:
- (a) the conferment of Honorary Degrees;
  - (b) the institution of Fellowships, Scholarships, Exhibitions and Prizes;
  - (c) the terms of office, the method of appointment and the conditions of the services of the officers of the University;
  - (d) the designation and the powers of the officers of the University;
  - (e) the constitution, powers and duties of the Authorities of the University;
  - (f) the institution of Colleges and Halls and their maintenance;
  - (g) the conditions for affiliation by the Executive Council of Colleges and Halls not maintained by the University and for withdrawal of such affiliation with the Government:  

Provided no new pre- University or Degree College shall be given permission or affiliation by the University to introduce new subject or faculty without prior concurrence of the Government of Assam;
  - (h) The constitution of pension, insurance and provident funds for the benefit of the officers, teachers, clerical staff and servants of the University;
  - (i) the maintenances of a resister of registered graduates; and
  - (j) all matters which by this Act are to be or may by prescribed the Statutes.

**How are  
Statutes made**

40. (1) Subject to the provisions of this Act and with the approval of the Court, the Executive Council may make Statutes for the purpose of carrying out the provisions of this Act and in respect of all matters which are required to be or may be provided for by Statutes.
- (2) The draft Statutes or draft amendments to Statutes may be approved or amended or rejected by the Court:
- Provided that no draft Statutes or draft amendments to Statutes with financial implications shall be amended without further reference to the Executive Council.
- (3) Every draft or Statutes proposed by the Executive Council shall be submitted to the Court for consideration. Such draft shall be considered by the Court at its next meeting. The Court may pass the Statutes or may amend it or may return the Statutes or may amend it or may return the Statute to the Executive Council for re-consideration.
- (4) Any draft of a Statute proposed by the Executive Council and rejected by the Court shall be submitted to the Chancellor who may refer it back to the Court for re-consideration.
- (5) Every Statute passed by the Court shall be submitted to the Chancellor who may give or withhold his consent or refer it back to the Court for re-consideration.
- (6) A Statute passed by the Court shall have no validity until it has been assented to by the Chancellor.
- (7) Any member of the Court may propose to the Executive Council, the draft of any Statute and the Executive Council shall submit such proposed draft to the Court with its comments.

**Ordinances**

41. (1) Subject to the provisions of this Act, and the Statutes, the Executive Council may frame Ordinances to provide for all or any of the following matters, namely:-
- (a) the admission of students in the University and their enrolment as such;
  - (b) the courses of study to be laid down for all degrees and diplomas of the University;
  - (c) the conditions under which students shall be admitted to the degree and diploma courses and the examinations of the University and shall be eligible for the degrees and diplomas;
  - (d) the conditions of residence of the students of the University;
  - (e) the affiliations of Colleges and recognition of the hostels;

- (f) the qualifying attendance required in the various courses;
- (g) the extension of University teaching in any suitable centre within the State by means of University extension Lectures or others;
- (h) the emoluments and conditions of service of teachers of the University;
- (i) the fees to be charged for courses of study in the University and form admission to the Examinations, degrees and diplomas of the University;
- (j) the formation of the Departments of Teaching in the University;
- (k) the constitutions, powers and duties of the Boards of the University;
- (l) the conduct of examinations; and
- (m) all matters which by this Act or the Statues are to be or may be provided by the Ordinances.

**How are  
Ordinances  
made**

42. (1) Save as otherwise provided, Ordinances shall be framed by the Executive Council :

Provided that no Ordinance shall be made,-

- (i) affecting the condition of residence of students, except after consultation with the Residence, Health and Discipline Board; and
  - (ii) affecting the admission or enrolment of student or prescribing examination to be recognized as equivalent to the University examination or prescribing the further qualification mentioned in sub-section (2) of Section 28 for admission in the degree courses of the University; or
  - (iii) affecting the conditions, mode of appointment or duties of examiners or the conduct or standard of examination or any course of study, unless a draft of such Ordinance has been proposed by the Academic Council.
- (2) The Executive Council shall not have power to amend any draft proposed by the Academic Council but may reject it or return it to the Academic Council for reconsideration either in whole or in part, together with any amendment which the Executive Council may suggest.
- (3) Such of the draft Ordinance proposed by the Academic Council as are rejected by the Executive Council shall be

placed by the Executive Council with its comments before the Chancellor whose decisions shall be final.

**Regulations**

43. (1) The authorities of the University may make regulations consistent with this Act, the Statutes and the Ordinances with regard to,-
- (a) laying down the procedure to be observed at the meetings and the member required to form a quorum ;
  - (b) providing for all the matters which by this Act, the Statutes or the Ordinances are to be prescribed by Regulations; and
  - (c) providing for all other matters solely concerning such authorities and not provided for by this Act, the Statutes and the Ordinances.
- (2) Every authority of the University shall make regulations providing for the giving of notice to the members of such authority of the dates of meetings, and for the keeping of a record of the business to be considered at the meetings and for the keeping of a record of the proceedings of the meetings.
- (3) The Executive Council may direct the amendment, in such manner as it may specify, of any Regulation under this section or the annulment of any Regulations made under sub-section (1):

Provided that any authority of the University which is dissatisfied with any such direction may appeal to the Chancellor whose decision in that matter shall be final.

**Colleges**

44. (1) The Colleges shall be such as may be named in the Statutes.
- (2) The conditions of residence in the Colleges and Halls shall be as prescribed by the Ordinance, and every college and Hall shall be subject to inspection by any member of the Residence, Health and Discipline Board authorised in this behalf by the Board and by any officer of the University authorised in this behalf by the Board and by any officer of the University authorised in this behalf by the Executive Council.
- (3) The Executive Council shall have power to suspend or withdraw the recognition of any Hall which is not conducted in accordance with the conditions prescribed by the Ordinances.

**Admission in University Courses**

45. (1) Admission of students to the University shall be made by an Admission Committee (including at least one Principal) appointed for that purpose by the Academic Council.
- (2) Students shall not be eligible for admission to a course of study for degree unless they have passed the Intermediate



examination of an Indian University incorporated or constituted by any law for the time being in force, or an examination recognized in accordance with the provisions of this section as equivalent to such examination and possess such further qualification, if any, as may be prescribed by the Ordinances. Any such qualifications may be tested by examinations:

Provided that, during a period of five years from the commencement of this Act and such further period as the Chancellor may direct, any student who have passed the Matriculation examination of any such University or any examination recognized in accordance with the provisions of this section as equivalent thereto and possessing such further qualifications as may be deemed eligible for admission to the University. Any such qualification may be tested by examinations.

#### **Examinations**

46. (1) Subject to the provisions of this Act and of the Statutes, all arrangements for the conduct of examinations shall be made by the Academic Council in such manner as may be prescribed by this Act and the Ordinance.
- (2) If, during the course of an examination, any examiner is for any reason incapable of acting as such, the Vice-Chancellor shall appoint an examiner to fill the vacancy and shall report the appointment to the Faculty concerned and the Academic Council.
- (3) At least one examiner who is not a teacher or other person in the service of the University or a College, shall be appointed for each subject included in a Department of teaching and forming part of the course which is required for a University Degree.
- (4) The Academic Council shall appoint Examination Committee consisting of members of its own body or of other persons or of both, as it thinks fit, to moderate examinations and to report such result to the Executive Council through the Academic Council for publication.

#### **Audit of Annual Accounts**

47. (1) The accounts of the University shall, once at least in every year and at the intervals of not more than fifteen months be audited by the Comptroller and Auditor General and such audit report shall be placed before the Assam Legislative Assembly.
- (2) The annual accounts and balance sheet of the University shall be prepared under the direction of the Executive Council and shall be submitted to the Chancellor for the purpose of Audit.
- (3) The accounts when audited by the Comptroller and Auditor General shall be submitted through the Executive Council, to the University Court, the Chancellor and to the State



Government and thereupon, the State Government shall publish the same in the Official Gazette. The Executive Council shall also submit to the Court on or before such date as may be prescribed by the Statutes, a statement of the financial estimates for the ensuring year.

- (4) The annual accounts and the final estimates shall be considered by the Court at its annual meeting and the Court may pass resolutions whereon and communicate the same to the Executive council.

**Removal of  
Members and  
Disputes**

48. (1) Removal of Members of the Court and Executive Council for continued absence (not applicable for ex-officio members of the Court and the Executive Council).
- (i) If a member of the Court or the Executive Council of the University remains absent without sufficient reason from the two successive meeting of the Court or from five successive meetings of the Executive Council, as the case may be, the Chancellor may call upon that member to offer within a reasonable time such explanations as he may desire to offer.
- (ii) If a member of the Court or the Executive Council when called upon by the Chancellor to offer explanation fails to offer any explanation or given an explanation which in the opinion of the Chancellor is unsatisfactory, the Chancellor may remove such member from office.
- (2) If any question arises whether any person has been duly elected or appointed as, or is entitled to be a member of any authority or other Body of the University, the matter shall be referred to the Chancellor whose decision thereon shall be final.
- (3) No act or proceeding of any authority or other body of the University shall be invalidated by reason of the existence of a vacancy or vacancies among its members.

**Arbitration**

49. An appeal in respect of a dispute arising out of a contract between the University and any officer or teacher of the University an authority of the University other than the Executive Council shall be preferred to the Executive Council, and in respect of a dispute between an officer or a teacher and the Executive Council shall be preferred to the Chancellor. The Executive Council or the Chancellor, as the case may be, may either dispose of the appeal or may refer it to a Board of Arbitration. The constitution of terms of reference to the Board of Arbitration shall be such as may be prescribed by the Statute. The decision of the Board of Arbitration shall be final and no suit shall lie to any Civil Court in respect of the matters decided by the Board.

**Tribunal of  
Arbitration**

50. Any dispute arising out of a contract between the University and any officer or teacher of the University shall on the request of the officer

or teacher concerned, be referred to a Tribunal of Arbitration consisting of one member appointed by the Executive Council, one member nominated by the officer or teacher concerned and an umpire appointed by the Chancellor. The decision of the Tribunal shall be final and no suit shall lie in any civil court in respect of the matters decided by the Tribunal. Every such request shall be deemed to be a submission to arbitration upon the terms of this section within the meaning of the Indian Arbitration Act, 1940 and all the provisions of this Act, with the exceptions of section 2 thereof, shall apply accordingly.

Central  
Act No  
X  
of 1940

**Pension and  
Provident Fund**

51. The University shall constitute, for the benefit of all its employees, in such manner and subject to such conditions as may be prescribed by the Statutes, such pension, insurance and provident funds as it may deem fit, without contradiction to the applicable Pension, Provident Fund (PF) and Group Insurance Scheme (GIS) Rules of the Government of Assam on the date of commencement of this Act.

**Annual  
contribution  
from  
Government**

52. The Government shall, for the purpose of this Act, contribute annually to the University a sum of not less than forty (40) lakhs of rupees to meet the recurring charges of the University. All contributions made under this section shall be charged to the revenues of the State.

**Power of State  
Government for  
Inspection**

53. (1) (a) The State Government shall have, for reasons to be recorded in writing, the right to cause an inspection to be made, by such person or persons as it may direct, of the University, its buildings, laboratories, libraries, museums, press establishment, workshops, and equipments and of any institution maintained by the University, and of all activities other than purely academic activities of the University and to cause an enquiry to be made into the income, expenditure assets and liabilities of the University.
- (b) The State Government shall in every case give notice to the University of its intention to cause such inspection or enquiry to be made.
- (2) The State Government shall communicate to the Executive Council, its views with reference to the results of such inspection or enquiry and may after ascertaining the opinion of the Court and the Executive Council thereon, advise the University upon the action to be taken.
- (3) The Executive Council shall report to the State Government the action, if any, which is proposed to be taken or has been taken to give effect to the advice of the State Government. Such report shall be submitted with the opinion of the Court thereon and within such time as the State Government may direct.
- (4) The State Government may, after considering the report

referred to in sub-section (3) above, advise the University to take such further action, if any, as in the opinion of the State Government is necessary, and the Executive Council and the Court shall take or cause such action to be taken within the time specified in such advice in that behalf.

**The State  
Government's  
power of  
supervision**

54. (1) If, at any time the Government of Assam is of the opinion that special reasons exist that in any respect the affairs of the University are not managed in furtherance of the objects and purpose of the University or in accordance with this Act and the Statutes and Regulations, or in furtherance of objects for which any grant or donation is specifically made by Government, public bodies or individuals, the Government of Assam may indicate to the Executive Council such matter in regard to which the Government of Assam desire explanation and call upon that body within reasonable time to offer such explanation as it may desire to offer with any proposal which it may desire to make.
- (2) If the Executive Council fails to offer any explanation or makes proposal or proposals which, in the opinion of the Government of Assam is or are unsatisfactory, the Government of Assam may issue such instructions, as appear to them to be necessary and desirable in the circumstances of the case, and the Executive Council shall give effect to such instructions.

**Emergency  
powers of the  
State  
Government**

55. (1) if at any time it appears to be necessary and expedient in the opinion of the State Government, the State Government may in prior consultation with the Chancellor, by a notification published in the Official Gazette, suspend all or any of the powers of the University as prescribed in section 5 of the Gauhati University Act and other powers as may be ancillary to such powers of management, functions of such authorities or officers including holding, conduct and superintendence of an arrangement and appointment of any powers or authority in connection with any or more examinations or publication of the result of any such examination or examinations or to any matter incidental thereto for such period as may be specified in the notification and may be exercised by the State Government if and when necessary during such period, in such manner and through such officers or authority as may be considered fit.
- (2) The provisions of the Statutes, Ordinances and Regulations framed under this Act relating to any one or more preceding sub-sections as may be amended for any of the purposes mentioned therein in such manner as may be decided by the State Government with the prior consultation of the Chancellor and shall take effect accordingly for the purposes of exercising the powers under the preceding sub-section

- (3) The State Government may constitute an Advisory Committee consisting of at least three (3) persons who, in the opinion of the State Government are eminent educationists for advising the State Government in the matter of discharging the powers, duties, functions and responsibilities in respect of which such powers are taken over by the State Government under sub-section (1) of this section.
- (4) All action taken under the preceding sub- sections and all examinations held and all results of any such examinations published and all other-actions taken under this section shall be deemed to have been taken, held or published in accordance with the provisions of this Act and shall take effect accordingly.
- (5) If, for exercising the powers under the preceding sub-section, any difficulty arises in giving effect to any one or more of the Statutes, Ordinances and Regulations framed thereunder, the State Government may in consultation with the Chancellor by order remove such difficulty as may appear to be necessary for the purpose of exercising those powers.

**Removal of  
difficulties**

56. If any difficulty arises with respect to the establishment of the University or in connection with the first meeting of any authority of the University or in connection with holding of the first examinations of the University and publishing results thereof or otherwise in first giving effect to the provisions of this Act, the State Government may, at any time, before all the authorities of the University have been constituted, by order make any appointment or do anything consistent so far as may be with the provisions of this Act and the Statutes which appears to be necessary or expedient for the purpose of removing the difficulty, and every such order shall have effect as if such appointment or action had been made or taken in the manner provided in this Act.

**Interpretation**

57. If any dispute arises as to the interpretation of any of the provisions of this Act, the interpretation given by the State Government shall be final and binding on all concerned.

**STATEMENT OF OBJECT AND REASONS**

The objective is to introduce the “The Swahid Kanaklata Barua State University Bill, 2024” to establish and constitute a teaching, residential and affiliating multidisciplinary teaching, research and affiliating University at Gohpur, Assam.

**RANOJ PEGU,**  
Minister, Education.

**HEMEN DAS,**  
Principal Secretary,  
Assam Legislative Assembly.

**FINANCIAL MEMORANDUM**

There is financial involvement in the proposed Swahid Kanaklata Barua State University Bill, 2024, which necessitates expenditures from the consolidated fund of the State of Assam.

**MEMORANDUM OF DELEGATED LEGISLATION**

There is provision of delegated Legislation in the proposed Swahid Kanaklata Barua State University Bill, 2024.

**RANOJ PEGU,**  
Minister, Education.

**HEMEN DAS,**  
Principal Secretary,  
Assam Legislative Assembly.



**THE KOKRAJHAR UNIVERSITY BILL, 2024****A****BILL**

to constitute and establish a teaching, research-oriented, affiliating and semi-residential University by upgrading the existing Kokrajhar Government College into Kokrajhar University and to establish an Open and Distance Learning Center under this University.

**Preamble**

Whereas it is expedient to constitute and establish a teaching, research-oriented, affiliating and partially residential University at Kokrajhar by upgrading the existing Kokrajhar Government College into a University having Open and Distance Learning (ODL) facilities and matters connected therewith.

It is hereby enacted in the Seventy-fifth Year of the Republic of India as follows:-

**Short title and commencement**

1. (1) This Act may be called the Kokrajhar University Act, 2024.
- (2) It shall come into force at once.

**Definitions**

2. In this Act, unless there is anything repugnant to the subject or context,-
  - (a) "Affiliated College" means a college affiliated to the University under section 6 (iii) and section 53;
  - (b) "Affiliated Institution" means an institution affiliated to the University under section 6 (iii) and section 53;
  - (c) "Board of Studies" means a Board of Studies constituted under section 37;
  - (d) "Campus" means a campus of the Kokrajhar University in different geographical locations;
  - (e) "Court" means the Court constituted under section 25;
  - (f) "Department" means an academic department of the University and designated as such by it with reference to a subject or group of subjects of study in the University;
  - (g) "Executive Council" and "Academic Council" means the Executive Council and the Academic Council constituted under sections 28 and 30, respectively;
  - (h) "Faculty" means a Faculty of the University;
  - (i) "Finance Committee" means the Finance Committee constituted under section 39;

- (j) "Governor" means the Governor of the State of Assam;
- (k) "Graduate" means a degree holder having a bonafide certificate from the University;
- (l) "Hall" means a unit maintained or recognised by the University in which provision is made for imparting tutorial and supplementary instructions, holding meetings, University functions, convocations, etc.
- (m) "Hostel" means a unit of residence for the students of the University maintained by the University in accordance with the provisions of this Act;
- (n) "Librarian" in relation to the University means a Librarian or any other person holding the post of Librarian, appointed or recognised by the University;
- (o) "Post-Graduate Board" and "Under-Graduate Board" means the Post-Graduate Board and Under-Graduate Board constituted under section 33 and 35 respectively;
- (p) "prescribed" means prescribed by the Statutes, Ordinance, Regulations or rules made thereunder;
- (q) "Principal" means the Head of an affiliated college;
- (r) "Selection Committee" means the Selection Committee constituted under section 41;
- (s) "State Government" means the Government of Assam;
- (t) "Statutes", "Ordinances", and "Regulations" mean the Statutes, Ordinances and Regulations, respectively, of the University made under this Act;
- (u) "Teachers" means Professors, Associate Professors or Assistant Professors of the University;
- (v) "University" means the Kokrajhar University constituted and established by upgrading the existing Kokrajhar Government College into a University under this Act;
- (w) "University Laboratory" means a laboratory maintained or managed by the University, whether established by it or not;
- (x) "University Library" means a library maintained by the University whether instituted by it or not;
- (y) "University Professor", "Associate Professor", or "Assistant Professor" means a Professor, an Associate Professor, or an Assistant Professor for teaching and research in the university;

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| Legal Entity of the University  | 3. (1) The Chancellor, the Vice-Chancellor, the members of the Court, the Executive Council and the Academic Council and all persons who may hereafter become such officers or members, so long as they continue to hold such office or membership, are hereby constituted a body corporate by the name of "The Kokrajhar University".<br>(2) The University shall have perpetual succession and a common seal and shall sue and be sued by the said name.   |
| Upgradation of the existing Kokrajhar Government College to University  | 4. From the commencement of this Act, the existing Kokrajhar Government College shall be deemed to have been upgraded to Kokrajhar University. All aspect of teaching and research shall be decided by the University.   |
| Property of Kokrajhar Government College to be vested to the University | 5. From the date of commencement of this Act, the existing property, land, buildings, and liquid assets of Kokrajhar Government College shall be transferred to the Kokrajhar University.  |
| Powers of the University  | 6. The University shall have the following powers, namely:—<br>(i) to provide for instruction in such branches of learning, including the Open and Distance Learning (ODL) courses as the University may think fit and to make provision for research to secure advancement, diffusion and extension of knowledge in all spheres of learning.<br>(ii) to establish within the university area or outside that area such field stations and specialised laboratories and such other units for research and instruction as are necessary for the furtherance of each objects.<br>(iii) to affiliate with it or admit to any of its privileges or to recognise for any purpose, either in whole or in part, any college or institution or members or student thereof, on such terms and conditions as may, from time to time, be prescribed, and to withdraw such affiliation, privileges or recognitions;<br>(iv) to incorporate any Provincialised College of the State as a Constituent College of the University with prior approval of the Government of Assam;<br>(v) to organise and undertake extramural teaching and extension education services. |

- (vi) to hold examinations and grant and confer degrees, diplomas, certificates or other academic distinctions on persons who,-
  - (a) have passed a course of study in the University or in any affiliated college, or
  - (b) are teachers in educational institutions under conditions laid down in the statutes, ordinances and regulations and have passed the examinations of the University under like conditions, or
  - (c) have passed a course of study by correspondence or open and distance mode, whether residing within the territorial jurisdiction of the University or not, or
  - (d) have been registered by the University, subject to such conditions as may be laid down in the Statutes, Ordinances and Regulations as external candidates, being persons residing within the territorial units to which the powers of the University extend.
- (vii) to confer honorary degrees or other distinctions;
- (viii) to grant such diplomas and to provide such lectures and instructions for persons not being members of the University, as the University may determine;
- (ix) to deprive or withdraw any degrees, diplomas, certificates or other distinctions granted to or conferred upon by the University for good and sufficient cause.
- (x) to propose to the Government for creation of such teaching, administrative and other posts as the University may deem necessary from time to time and to make appointments thereto after the posts has been created by the Government of Assam, and approval is given for recruitment.
- (xi) to recognize and appoint eminent scholar in their respective fields as "Professor of Practice", "Visiting faculties", "Professor Emeritus".
- (xii) to appoint or recognise persons as Professors, Associate Professors, Assistant Professors or otherwise as teachers of the University only against posts sanctioned by the State Government;
- (xiii) to institute and award fellowships, scholarships, exhibitions and prizes.
- (xiv) to regulate and enforce discipline among students and employees of the University and to take such disciplinary measures in this regard as may be deemed necessary;
- (xv) to make arrangements to promote the health and general

welfare of students of the University

- (xvi) to determine and provide for examinations for admission into the University;
- (xvii) to cooperate or collaborate with any other Universities, authorities or associations, or any other public or private body having purposes and objects similar to those of the University or appoint one or more representatives of the Universities to act upon any such body, authority or association for such purposes as may be agreed upon, on such terms and conditions as may, be prescribed from time to time.
- (xviii) to enter into a contract with any other recognised institution for the transfer of knowledge and technology on well-defined terms and conditions to raise funds for the University or for technical collaboration;
- (xix) to enter into any agreement for the incorporation in the University of any other institutions and for taking over its rights, properties and liabilities and for any other purposes not repugnant to this Act with prior approval of the Government of Assam;
- (xx) demand and receive payment of such fees and other charges as may be prescribed from time to time and to hold, manage and dispose of any movable or immovable, including trust or endowed property within or outside the university area for the purpose or objects of the university and to invest any funds representing such property in such manner as the University thinks fit;
- (xxi) to purchase a property;
- (xxii) to maintain bank accounts in the name of the University;
- (xxiii) to receive grants from State and Central Government, University Grants Commission, and any private or central Government agencies, as prescribed in Statutes, Ordinances or Rules,
- (xxiv) to institute for the benefit of its members, such as pension or provident fund as the University may deem fit
- (xxv) to borrow with the approval of the State Government, on the security of university property, money for the purposes of the University;
- (xxvi) to provide for the printing, reproduction and publication of research activities;
- (xxvii) to do all such other acts and things, whether incidental to the powers aforesaid or not, as may be required in order to



further the objects of the University;

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|-------------------------------------|--|
| Jurisdiction                        | 7. The jurisdiction of Kokrajhar University shall extend throughout the State of Assam and shall extend to the areas and colleges and research and experimental stations or other institutions and authorities of University and other constituent Units of the University which are under the full management and control of the University Officers and authority.   |
| University to be open to all        | 8. The University shall be open to everyone regardless of gender, race or creed. It shall not be lawful for the University to adopt or impose on any person any test whatsoever of religious belief or profession to entitle him to be admitted to it as a teacher or as a student or to hold any office therein, or to graduate or to enjoy or exercise any particular benefaction accepted by the University, where such test is made a condition thereof by any testamentary or other instrument creating such benefaction.   |
| Officers of the University          | <p>9. The following shall be the Officers of the University:-</p> <ul style="list-style-type: none"> <li>(i) The Chancellor;</li> <li>(ii) The Vice-Chancellor;</li> <li>(iii) The Registrar;</li> <li>(iv) Academic Registrar;</li> <li>(v) Controller of Examinations;</li> <li>(vi) Deputy Controller of Examinations;</li> <li>(vii) The Dean, Student Welfare;</li> <li>(viii) Finance Officer</li> <li>(ix) Such other persons in the service of the University as may be declared by the states to be the officers of the university.</li> </ul>                |
| Chancellor                          | <p>10. (1) The Governor of Assam shall be the Chancellor of the University.</p> <p>(2) The Chancellor, when present, shall preside over the meeting of the Court and Convocation of the University.</p>  |
| Powers and Duties of the Chancellor | <p>11. (1) The Chancellor shall have the power to cause an inspection, by himself or by such person or persons as she/he may direct, the properties of the University, its buildings, laboratories and equipment and Colleges or Institutions or Centers maintained by the University and also of the examinations, teaching and other works conducted or done by the University and to cause an enquiry to be made in like manner in respect of any matter connected with the University.</p> <p>(2) The Chancellor shall, in every such case, give notice to the</p> |



Executive Council of her/his intention to cause an inspection or enquiry to be made, and the Executive Council shall be entitled to appoint a representative who shall have the duty and right to be present and be heard at such inspection or enquiry.

- (3) The Chancellor may address the Vice Chancellor with reference to the result of such inspection and enquiry, and the Vice Chancellor shall communicate to the Executive Council the views of the Chancellor with such advice as the Chancellor may offer upon the action to be taken thereon.
- (4) The Executive Council shall communicate through the Vice Chancellor to the Chancellor such action, if any, as it is proposed to take or has been taken upon the result of such inspection or enquiry.
- (5) When the Executive Council, within a reasonable time, does not take action to the satisfaction of the Chancellor, the Chancellor may, after considering any explanation furnished or representation made by the Executive Council, issue such directions as he may think fit, and the Executive Council shall be bound to comply with such directions.
- (6) Expenses that may be incurred in connection with such inspection or enquiry and certified as such by the Chancellor shall be a charge on the University.
- (7) The Chancellor shall have such other powers as may be conferred on him by or under the provisions of this Act.
- (8) The Chancellor, as the Head of the University, shall have the power to suspend the activities of the various authorities of the University as and when circumstances so demand and vest all powers and functions of these authorities in his own hand or to control the affairs of the authority or authorities so suspended in such manner and for such a period as deemed fit and reasonable by him.

- Vice Chancellor      12. (1) The Chancellor shall appoint the Vice-Chancellor on the recommendation of an Advisory Board constituted by the Chancellor for the purpose and consisting of three members, of whom the Executive Council shall elect one member, the State Government shall nominate one member, and the Chancellor shall nominate one member. The Chancellor shall appoint one of them as Chairman of the Advisory Board.
- (2) The Advisory Board shall recommend a panel of names of three persons to the Chancellor, who may appoint one of the recommended persons as Vice-Chancellor. If the

Chancellor does not approve any of the person recommended by the Advisory Board, she/he may call for a fresh recommendation.

- (3) The Vice-Chancellor shall hold office for a period of five years and shall be eligible for re-appointment and shall retire on the date he attains the age of 70 years.
- (4) Whenever there is any temporary vacancy in the Office of the Vice-Chancellor by reasons for leave, illness or other causes, the Chancellor shall make such other arrangements as he may think fit for exercising the powers and performing the duties of the Vice-Chancellor during the absence.
- (5) The Chancellor shall determine the emoluments and other terms and conditions of service of the Vice-Chancellor, provided that the salary of the Vice-Chancellor shall not be less than Rs. 75000/- per month, as revised from time to time and all other allowances as are admissible under relevant rules.

Powers and  
Duties of Vice  
Chancellor

13. (1) The Vice-Chancellor shall be the principal executive and academic officer of the University and shall, in the absence of the Chancellor, preside at meetings of the Court and Convocation of the University. She/He shall be an ex-officio member and Chairman of the Executive Council, the Standing Finance Committee, the Construction Committee, and the Academic Council and shall be entitled to be present and to speak at any meeting of any authority or other body of the University, when present, he shall preside over all such meetings.
- (2) It shall be the duty of the Vice-Chancellor to ensure that the provisions of this Act, the Statutes, the Ordinances and the Regulations are duly observed.
- (3) The Vice-Chancellor shall have the power to convene meetings of the Court, the Executive Council, the Academic Council, the Finance Committee, and the Construction Committee.
- (4) In any emergency which, in the opinion of the Vice-Chancellor, requires immediate action to be taken, the Vice-Chancellor shall take such action as he deems necessary and shall, at the earliest opportunity, report his action to the authority or other body who or which in the ordinary course, would have dealt with the matter.
- (5) When any such action taken by the Vice-Chancellor affects

any person in the service of the University, such person shall be entitled to prefer an appeal to the Executive Council through the officer, authority or other body of the University within thirty days from the date on which such action is communicated to him.

- (6) The Vice-Chancellor shall give effect to any order of the Executive Council regarding the appointment, dismissal or suspension of an officer or a teacher of the University or regarding the recognition or withdrawal of the recognition of any such teacher. She/He shall exercise general control in the University. She/He shall be responsible for the maintenance of the discipline of the University.
- (7) The Vice Chancellor shall exercise such other powers as may be prescribed by the Statutes and Ordinances.

Registrar

14. (1) The Registrar shall be a full-time salaried officer of the University and shall be appointed by the Executive Council on such conditions and remunerations as may be prescribed.
- (2) The term of the Registrar shall be for five years, but she/he may be eligible for re-appointment.
- (3) The Registrar shall be the Ex-officio Secretary of the Court, Executive Council, and Construction Committee. All communications, in general, to be addressed to and on behalf of the University shall be in the name of the Registrar.

Powers and  
Duties of the  
Registrar

15. The powers and duties of the Registrar shall be the following, namely:-
  - (i) to be the custodian of the records, common seal, and such other property of the University as the Executive Council shall commit to her/his charge and to manage such properties;
  - (ii) to sign and verify all appointments, contracts and agreements made on behalf of the University and to act as Secretary of such other Committees as may be prescribed by the Statutes;
  - (iii) to conduct the official correspondence between the Court and the Executive Council;
  - (iv) to issue all notices of convening meetings of all such Committees or Councils or Boards of which she/he is the Secretary;
  - (v) to arrange for and superintend the examination of the University till such time when the University appoints other officers, if any, for this purpose;
  - (vi) to perform such other work as may, from time to time, be

- prescribed by the Executive Council;
- (vii) to represent the University in any Court of Law and to sue any party for any liability to the University and breach of any contract entered into with the University.
- Controller of Examinations 16. (1) The Controller of Examinations shall be a full-time salaried officer of the University and shall be appointed by the Executive Council on a full-time basis;
- (2) It shall be the duty of the Controller of Examination to hold various examinations of the University and its constituent and affiliated Colleges;
- (3) The Controller of Examinations shall be the authority to hold examinations and ensure that the results are declared in time.
- Deputy Controller of Examinations 17. The Deputy Controller of Examinations shall be a full-time salaried officer of the University and shall be appointed by the Executive Council on a full-time basis.
- Academic Registrar 18. (1) The Academic Registrar shall be appointed by the Registrar on recommendation of the Executive Council. He shall be the Secretary of the Academic Council and shall be responsible for preparation of curriculum, syllabus and text books for different courses of the University. The term of the Academic registrar shall be for five years but may be reappointed if found eligible.
- (2) The Academic registrar shall support the Vice Chancellor and the registrar on all academic matters.
- Dean of Students Welfare 19. The Executive Council shall appoint the Dean of Students Welfare from among the Professors or Associate Professors of the University.
- Director of Open and Distance Learning 20. The Executive Council shall appoint the Director for the Directorate of Open and Distance Learning from among the Professors/Associate Professors of the University.
- Directors 21. The Executive Council shall appoint Directors for different Multi or Inter-Disciplinary programmes.
- Term of Deans and Directors 22. The term of the Deans and Directors of the University shall be of three years.
- The Finance Officer 23. (1) The Finance Officer shall be a full-time salaried officer of the University and shall be appointed by the Executive

Council on a full-term basis.

- (2) The Finance Officer shall exercise general supervision over the funds of the University and advice in regard to its financial policy. He shall be responsible for the preparation of the balance sheet at the end of each financial year.
- (3) Subject to the control of the Executive Council, he shall manage the investments of the University and be responsible for preparing and presenting the annual estimates and statements of accounts and for proper maintenance of the funds.
- (4) Subject to the powers of the Executive Council, the Finance Officer shall be responsible for ensuring that all money is expended for the purposes for which they are generated.
- (5) The Finance Officer shall exercise such other powers as may be prescribed by the Statutes and the Ordinances.
- (6) The officer shall be responsible for the auditing of accounts of the University at least once every year and at intervals of not more than fifteen months. The Accountant General, Assam, shall do the audit :

Provided that the Chancellor may, on the recommendation of the Executive Council in the case of a casual vacancy, may ask the Registrar to perform the duties of Finance Officer.

Authorities of the University 24. The following shall be the authorities of the University:—

- (i) The Court;
- (ii) The Executive Council;
- (iii) The Academic Council;
- (iv) The Research Council;
- (v) The Post-Graduate Board;
- (vi) The Under-Graduate Board;
- (vii) The Boards of Studies;
- (viii) The Finance Committee;
- (ix) The Selection Committees;
- (x) Such other authorities as may be declared by the Statutes to be the authorities of the University.

The Court 25. (1) The Court shall constitute of the following members, namely:—

**(A) Ex – officio Member :—**



- (i) The Chancellor;
- (ii) The Vice-Chancellor;
- (iii) The Minister of Education, Assam;
- (iv) The Registrar;
- (v) The Academic Registrar
- (vi) The Controller of Examinations;
- (vii) The Finance Officer;
- (viii) All Deans of the University;
- (ix) All Directors of the University;
- (x) The Senior-most Secretary to the Government of Assam in the Higher Education Department;
- (xi) The Director of Higher Education, Assam;
- (xii) The Director of Technical Education, Assam;
- (xiii) The Director of Medical Education and Research, Assam;
- (xiv) The Director of Agriculture, Assam;
- (xv) The Director of Animal Husbandry and Veterinary, Assam;
- (xvi) The Vice-Chancellor of the Dibrugarh University;
- (xvii) The Vice-Chancellor of the Gauhati University;
- (xviii) The Director, Information and Technology, Electronics and Communication.
- (xix) Two members nominated by the Executive Council;
- (xx) One-third of the Principals of the Degree Colleges affiliated to the University, at a time, by election from amongst themselves and shall retire after every three years in the manner prescribed by the Statutes,
- (xxi) two Heads of the Academic Departments of Kokrajhar University (to be selected on the basis of seniority).

**(B) Other Members:—**

- (xxii) two persons distinguished in Literature, Law, Medicine, Science, Engineering, Technology, Commerce, Public life etc., nominated by the Chancellor;
- (xxiii) two members (one female) of the Kokrajhar University Alumni (to be nominated by the



Chancellor).

- (xxiv) two representatives with good records to be elected by the Post-Graduate Students of the University from amongst themselves:

Provided that a student to be elected must have been a student of the University for at least one year prior to his/her election.

- (xxv) two representatives from Assam Legislative Assembly to be selected by the Hon'ble Speaker.

- (2) Save as otherwise provided and except that ex-officio members and student members, all other members shall hold office for a period of three years from the date of their election or nomination, as the case may be:

Provided that no person nominated or elected in his/her capacity as a member of a particular body or as holder of a particular appointment shall be a member after he/she ceases to be a member of that body or holder of that appointment, as the case may be:

Provided further that any member elected or nominated under Clause (xxiv) shall hold office for a period of one year only from the date of his/her election or nomination, as the case may be. He/ She shall cease to be a member of the Court on his/her ceasing to be a student of the University.

- (3) When a person ceases to be a member of the Court, he/she shall cease to be a member of any of the authorities or committees of the University of which he/she may happen to be a member by virtue of the membership of the Court.
- (4) With the approval of the Court, the Vice Chancellor may remove an elected or selected member.

Meeting of the Court

26. The Court shall meet at least twice a year on a date or dates to be fixed by the Vice Chancellor. One such meeting shall be held in January and shall be called the Annual General Meeting. The Court may also meet at such times as it may, from time to time, determine.

Powers and Duties of the Court

27. Subject to the provisions of this Act, the Court shall have the following powers and duties, namely:—
- (i) to review, from time to time, the broad policies and programmes of the University and suggest measures for the improvements and development of such policies, programmes, works and other affairs;

- (ii) to consider the annual report, the annual accounts, the audit report and the statement of the financial estimates for the ensuing year, to approve the financial estimates, with such comments, if any, to express its views on the annual report and to suggest such measures as it may deem proper on the matters covered by them;
- (iii) to approve, with or without modifications, the Statutes submitted by the Executive Council:

Provided that before making any modification to the Statutes submitted by the Executive Council, the Executive Council shall be given an opportunity to consider the modifications proposed by the Court and the Court shall consider the opinion expressed by the Executive Council on such modifications.

- (iv) to consider the annual balance sheet prepared at the end of each financial year but not later than six months from the end of such financial year, along with the Receipts and Payment Account and Income and Expenditure Account, all of which should be in conformity with the existing accounting practices as notified from time to time by various oversight committees and the Government of Assam. These should be held up for review by the Finance Committee before it is placed for scrutiny by the Executive Council and then for approval by the Court. Such audit report, along with the audited financial statements, shall form part of the Annual Report of the University and shall be placed in the house of the Assam Legislative Assembly.

The Executive  
Council

28. (1) The Executive Council shall be the executive body of the University. It shall consist of the following members, namely:—

**(A) EX – OFFICIO MEMBERS :—**

- (i) The Vice-Chancellor;
- (ii) The Registrar;
- (iii) Academic Registrar
- (iv) Two Members of Assam Legislative Assembly;
- (v) The Director of Higher Education, Assam;
- (vi) The Director of Technical Education, Assam;
- (vii) The Director of Medical Education, Assam;
- (viii) The Director of Agriculture, Assam;
- (ix) The Director of Animal Husbandry & Veterinary, Assam;
- (x) One Principal of a Degree College affiliated with the

University, at a time, selected by election from amongst themselves and shall retire after every three years in the manner as may be prescribed by the Statutes,

- (xi) Two Heads of Departments of the University who are Professors/Associate Professors, to be chosen by the Vice-Chancellor by rotation according to seniority for a period of two years;
- (xii) Two members to be elected by the Court from amongst its members at its Annual General Meeting other than employees and students of the University;

**(B) OTHER MEMBERS:—**

- (xiii) Two distinguished academicians of the district where the University is situated to be nominated by the Government;
  - (xix) Two members (one female) from Kokrajhar Government College / Kokrajhar University Alumni (to be nominated by the Vice- Chancellor)
  - (xv) One 'Professor of Practice' to be nominated by the Governor.
  - (xvi) One successful entrepreneur to be nominated by the Governor.
- (2) Save as otherwise provided, and except the ex-officio members, all other members shall hold office for a period of three years from the date of their election or nomination, as the case may be:

Provided that no person nominated or elected in his capacity as a member of a particular body or as a holder of a particular appointment shall be a member after he ceases to be a member of that body or holder of that appointment, as the case may be.

- (3) When a person ceases to be a member of the Executive Council, he shall cease to be a member of any of the authorities of the University of which he may happen to be a member by virtue of his membership of the Executive Council.

Powers of the  
Executive  
Council

29. (1) The Executive Council shall hold, control and administer the property and funds of the University and shall appoint a Finance Committee to advise it on matters of finance consisting of six members, of whom the Vice-Chancellor shall be the Chairperson, the Finance Officer shall be the Secretary and the other four members shall be appointed as follows:—

- (i) two members to be elected by the Executive Council from among its members and;
  - (ii) two members are to be nominated by the State Government, one from the Finance Department and the other from the Higher Education Department of the State Government.
- (2) It shall do all acts appertaining or incidental to the construction of buildings, roads, tanks, pipelines and other structures of the University and, for the purpose, shall appoint a Construction Committee consisting of seven members of whom the Vice-Chancellor shall be the Chairman, the Registrar shall be the Secretary, the Finance Officer, a member and the remaining four members shall be appointed from among the members of the Executive Council with power to co-opt experts as members who shall have no power to vote:

Provided that at least one member of the Committee shall be appointed from amongst the members elected to the Executive Council by the Court.
- (3) It shall determine the form and regulate the use of the Common Seal of the University.
- (4) It shall lay before the State Government annually a full statement of the financial requirements of the University.
- (5) It shall administer funds placed at the disposal of the University for any specific purpose, including those given for the purpose of buildings, roads, tanks, pipelines and other structures of the University.
- (6) Subject to the provisions of this Act and the Statutes and also Acts and Rules of the State Govt. of Assam, it shall appoint the officers (other than the Chancellor and the Vice Chancellor), teachers, office and technical staff and other employees of the University and define their duties and conditions of service and shall provide for the filling up of temporary vacancies.
- (7) It shall have the power to accept, on behalf of the University, bequests, endowments, donations or transfer of any movable or immovable property.
- (8) It shall arrange for holding/conducting examinations of the University and publishing the results.
- (9) It shall, subject to the powers conferred by this Act on the Vice Chancellor, regulate and determine all matters under this Act concerning the University in accordance with this

Act, the Statutes and the Ordinances:

Provided that the Executive Council shall take no action with respect to the numbers, qualifications or emoluments of teachers without consultation with the Academic Council.

- (10) The Executive Council shall be the authority to decide on matters related to the examination, affiliation, remuneration, promotion, and appointment of both regular and contractual staff.
- (11) It shall exercise all other powers of the University, of which no specific provisions have been made in this Act or in the Statutes.

The Academic  
Council

- 30. (1) The Academic Council shall consist of the following members:

**(A) EX-OFFICIO MEMBERS:—**

- (i) The Vice-Chancellor;
- (ii) The Registrar;
- (iii) Academic Registrar;
- (iv) The Director of Higher Education, Assam;
- (v) The Director of Technical Education, Assam;
- (vi) The Director of Medical Education and Research, Assam;
- (vii) The Director of Agriculture, Assam;
- (viii) The Director of Animal Husbandry and Veterinary, Assam;
- (ix) The Director, Information Technology, Electronics and Communication;
- (x) The Professors of the University;
- (xi) The Associate Professors of the University who are Heads of the teaching Departments;
- (xii) Librarian of the University;
- (xiii) One Principal of a Degree College affiliated with the University, nominated by the Vice Chancellor for a period of three years,

**(B) OTHER MEMBERS:—**

- (xiv) A maximum of three persons possessing expert knowledge in subjects having relevance to the University shall be nominated by the Vice-

Chancellor to the Academic Council.

(xv) Two persons to be elected by the Court who are not employees or students of the University; and

(xvi) Two members (one female) of the Kokrajhar Government College or Kokrajhar University Alumni (to be nominated by the Vice Chancellor),

(2) Save as otherwise provided, and except the ex-officio members, all other members shall hold office for a period of three years from the date of their election or nomination as the case may be

(3) When a person ceases to be a member of the Academic Council, he/she shall cease to be a member of any of the authorities of the University of which he/she may happen to be a member by virtue of his membership of the Academic Council.

Powers of the  
Academic  
Council

31. Powers of the Academic Council:—

The Academic Council shall have the following powers, namely:—

- (i) to make proposals to the Executive Council for the institution of Professorship, Associate Professorship, Assistant Professorship or other teaching posts, and in regard to the duties and emoluments thereof;
- (ii) to submit to the Executive Council draft Regulations regarding methods and manner of conducting examinations, including setting up of Moderation Boards and to award Fellowships, Scholarships, Medals and other rewards in accordance with such Regulations;
- (iii) to recommend examiners for appointments to be made by the Vice-Chancellor after a report from the faculties concerned;
- (iv) to control the University Library, to frame Regulations regarding its use, and to appoint a Library Committee under the general control of the Academic Council to manage the affairs of the library;
- (v) to assign subjects to the faculties;
- (vi) to assign teachers to the faculties;
- (vii) to promote research within the University, including the establishment of a Research Council and to call for reports on such research from the persons employed thereon;
- (viii) to organise teaching in the University and control the engagement of teachers; and



- (ix) such other powers and duties as may be assigned to it under the Statute.

Research  
Advisory Council

32. There shall be a Research Advisory Council (RAC) headed by the Vice-Chancellor or his/her nominee as the apex body of the Research Development Cell (RDC) as prescribed by University Grant Commission (UGC). Executive Council shall nominate other members as per the University Grant Commission (UGC) Guidelines for the Establishment of Research and Development Cell in Higher Education Institutions.

Post-Graduate  
Board

33. There shall be a Post-Graduate Board to monitor all Post Graduate programmes pertaining to admission and evaluation. The Post-Graduate Board shall have the following members, namely :—

- (1) the Vice-Chancellor;
- (2) six persons from amongst the Professors and heads of Departments of Post-Graduate departments of the University selected by the Academic Council;
- (3) two members of the Academic Council who are not Professors or Heads of Departments of the University elected by the Academic Council;
- (4) four persons who may or may not be professors of the University to be nominated by the Vice-Chancellor; and
- (5) one member of the Examination Committee to be nominated by the Vice-Chancellor.

Powers and  
duties of the Post  
Graduate Board

34. Subject to the provisions of this Act, the Statutes and the Ordinances, the Post Graduate Board shall have the following powers and duties:—
- (i) to recommend to the Academic Council the pattern of Post-Graduate courses, the examinations to be held for such courses, and their revision;
  - (ii) to approve the curricula and syllabi for the post-Graduate courses and to modify them, wherein necessary, after considering the recommendations of Boards of Studies;
  - (iii) to recommend to the Executive Council for the institution and award of fellowships, scholarships, prizes, honorary degrees and other awards or other academic distinctions; and for instituting and conferring of degrees, diplomas, titles, certificates and other academic distinctions in the Post-Graduate courses on the basis of examinations and for the withdrawal of the same;

- (iv) to make recommendations to the Executive Council for the institution of Professorships, Associate Professorships, Assistant Professorships or other posts of teachers required for the Post-Graduate Courses and for the recognition of persons as teachers of the University for such courses, and regarding their emoluments, duties and terms and conditions of their services;
- (v) to recommend to the Academic Council the conditions for the admission of students to Post- Graduate courses and to make regulations for their attendance and progress;
- (vi) to make Regulations with regard to the residence and discipline of students in the departments and the affiliated colleges and institutions imparting Post Graduate courses and for the promotion of their health and welfare;
- (vii) to make recommendations to the Executive Council regarding the allocation of funds to the Post-Graduate Departments and Colleges/Institutions/Centres engaged in Post-Graduate courses or research; and to the libraries, laboratories, and museums established by the University;
- (viii) to review the works of the Post-Graduate Departments and Colleges/Institutions/Centers engaged in Post-Graduate courses and research, and to call for a report thereon and to take all steps necessary for the improvement of the standards of research and teaching and other affairs therein;
- (ix) to consider the measures suggested by the Academic Council on any matter affecting the academic work of the University and to express its views on them; to consider any matter referred to it by the Executive Council or the Academic Council and to submit reports thereon to the Executive Council or the Academic Council, as the case may be;
- (x) to approve the panels of the examiners for Post-Graduate Examinations, with or without modifications, after considering the recommendations of the Boards of Studies and to modify the same at any time after consultation with the Boards of Studies concerned.
- (xi) to appoint committees and to fix their terms of reference in regard to any matter within the jurisdiction of the Post-Graduate Board
- (xii) Such other powers and duties as may be assigned to it under the statute.

Under-Graduate      35.    There shall be an Under-Graduate Board to monitor all Under

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|---|---|
| Board   | <p>Graduate programmes pertaining to admission and evaluation. The Under Graduate Board shall have the following members, namely:—</p> <ul style="list-style-type: none"><li>(i) the Vice-Chancellor;</li><li>(ii) three persons from among the Professors and the Heads of Departments of the University selected by the Academic Council;</li><li>(iii) three Principals selected by the Academic Council from the affiliated colleges;</li><li>(iv) three persons who may or may not be members of the Academic Council, nominated by the Vice-Chancellor;</li><li>(v) ten persons to be elected from amongst the teachers of the affiliated Colleges; and</li><li>(vi) one member of the Examination Committee to be nominated by the Vice-Chancellor.</li></ul>  |
| Powers and Duties of the Under-Graduate Board | <p>36. Subject to the provisions of this Act, the Statutes and the Ordinances, the Under Graduate Board shall have the following powers and duties, namely :—</p> <ul style="list-style-type: none"><li>(i) to recommend to the Academic Council the pattern of Under Graduate courses, the examinations to be held for such courses, and their revision;</li><li>(ii) to approve the curricula and syllabi for the Under Graduate courses and to modify them wherein necessary after considering the recommendations of Boards of Studies;</li><li>(iii) to recommend to the Executive Council for the institution and award of fellowships, scholarships, prizes, honorary degrees and other awards or other academic distinctions and for the instituting and conferring of degrees, diplomas, titles, certificates and other academic distinctions in the Under Graduate courses on the basis of examinations and for the withdrawal of the same;</li><li>(iv) to make recommendations to the Executive Council for the institution of Professorships, Associate Professorships, Assistant Professorships or other posts of teachers required for the Under Graduate Courses and for the recognition of persons as teachers of the University for such courses, and regarding their emoluments, duties and terms and conditions of their services;</li><li>(v) to recommend to the Academic Council the conditions for the admission of students to Under Graduate courses and to make regulations for their attendance and progress;</li></ul> |

- (vi) to make Regulations with regard to the residence and discipline of students in the departments and the affiliated colleges and Colleges or Institutions or Centres imparting the Under Graduate courses and for the promotion of their health and welfare;
- (vii) to make recommendations to the Executive Council regarding the allocation of funds to the Under-Graduate Departments and constituent College or Institutions or centers engaged in Under Graduate courses or research; and to the libraries, laboratories, and museums established by the University;
- (viii) to review the works of the Under Graduate Departments and Colleges or Institutions or Centers engaged in Under Graduate courses and research and to call for a report thereon and to take all steps necessary for the improvement of the standards of research and teaching and other affairs therein;
- (ix) to consider the measures suggested by the Academic Council on any matter affecting the academic work of the University and to express its views on them; to consider any matter referred to it by the Executive Council or the Academic Council and to submit reports thereon to the Executive Council or the Academic Council, as the case may be;
- (x) to approve the panels of the examiners for Under Graduate Examinations, with or without modifications, after considering the recommendations of the Boards of Studies and to modify the same at any time after consultation with the Boards of Studies concerned;
- (xi) to appoint committees and to fix their terms of reference in regard to any matter within the jurisdiction of the Under-Graduate Board.

- Board of Studies    37. Every teaching Department and Centre shall have a Board of Studies which shall be the framing authority of all academic programmes and curricula of the respective department and centres. Each Board of Studies shall consist of the following members, namely:—
- (i) Head of the concerned Department or - Chairman  
Director of the concerned centre of the  
University;
  - (ii) All the faculty members of the concerned - Member  
department;

- (iii) Three persons with qualifications in the Branch of Study elected by the Academic Council; - Member
- (iv) One Expert Consultant, not connected with the University nominated by the Chairman with the approval of the Vice-Chancellor; - Member
- (v) Subject to the prior approval of the Vice-Chancellor, the Board may consult other Expert or Experts, when necessary, on any matter within its field as Special Expert. - Member
- Powers and Duties of the Board of Studies**
38. Subject to the provisions of this Act, the Statutes and the Ordinances, each Board of Studies shall have the following powers and duties, namely:—
- (i) to make recommendations to the Post-Graduate or the Under Graduate Board, as the case may be, about the pattern of courses, curriculum, and syllabi to be laid down for different courses and the examinations to be held for such courses and to make recommendations for revision of courses, syllabi, curricula and examinations in so far as they relate to the field of the particular department/centre or branch of studies,
- (ii) to prepare and, when necessary, revise the panel of examiners for different examinations for submission to the Examination Committees; and
- (iii) to consider any other matter referred to it by the Post Graduate or Under Graduate Board, the Academic Council or the Executive Council, as the case may be, and to submit a report to the authority concerned upon the matter so referred.
- Finance Committee**
39. There shall be a Finance Committee of the University consisting of the following members, namely :—
- (i) The Vice-Chancellor as Chairperson;
- (ii) Registrar;
- (iii) Two members elected from the Court from amongst its members;
- (iv) Two members elected by the Executive Council from its members;
- (v) Two members to be nominated by the State Government, one from the Finance Department and the other from the Higher Education Department, Government of Assam;
- (vi) Finance (and Accounts) Officer as Member Secretary.
- Functions of the Finance Committee**
40. The functions of the Finance Committee shall be as follows:—
- (i) to examine the annual budget estimates and to give advice and suggestion to the Executive Council thereon;



- (ii) to make recommendations to the Executive Council relating to the Finance of the University;
- (iii) to examine every proposal for new expenditures involving a sum of money exceeding rupees one lakh and to advise the Executive Council thereon;
- (iv) to review the financial position of the University periodically;
- (v) to suggest, in general, the means for the improvement of the financial position of the University;
- (vi) to review grades of pay for all staff of the University so that they conform to the State Government rules and policies and report to the Executive Council;
- (vii) to deal with such other matters relating to the financial matters of the University as may be prescribed by the Statutes and Ordinances.
- (viii) The Committee shall sit at least twice a year, and all the expenditures of the University shall be placed before the Committee.

Selection  
Committee

41. (1) There shall be a Selection Committee for making recommendations to the Executive Council for the appointment of Professors, Associate Professors, Assistant Professors, Registrar, Finance Officer, Controller of Examinations, Librarian, Deputy Registrars, Deputy Controller of Examinations and other officers of the University as may be provided for by the Statutes consisting of the following members, namely :—
- (i) The Vice-Chancellor as Chairperson of the Selection Committee;
  - (ii) three persons not holding any office of profit under the University of whom one to be nominated by the Chancellor, one to be nominated by the Executive Council, and the other to be nominated by the Academic Council;
  - (iii) the Registrar shall be the Member-Secretary of the Selection Committee except for the Selection Committee for the appointment of Registrar, in which case the Vice- Chancellor shall nominate one person as Member Secretary in consultation with the Executive Council,
- (2) In making recommendations for the appointment of Professors of the University, the Selection Committee shall have the Head of the Department concerned, if he/she is a Professor, one Professor of the Department to be nominated by the Vice-Chancellor, and two persons not in the services



of the University to be nominated by the Executive Council out of a panel of not less than five names of persons recommended by the Academic Council, who have special knowledge of the subject for which the Professor is to be selected,

- (3) In making recommendations for the appointment of Associate Professors or Assistant Professors and other teachers of the University, the Selection Committee shall have the Head of the Department concerned, one Professor of the Department to be nominated by the Vice Chancellor, and two persons to be nominated by the Executive Council out of a panel of not less than five names of persons recommended by the Academic Council being persons not connected with the University, who have special knowledge of or interest in the subject for which the teacher is to be selected:

Provided that where the Executive Council proposes to make an appointment otherwise than in order of merit arranged by the Selection Committee, the post of Professors, Associate Professors and Assistant Professors, it shall record its reasons in writing and submit them to the Chancellor, who may approve the proposal or return it to the Executive Council for reconsideration. After reconsideration, if the Executive Council desires to pursue its original proposal, it shall refer the matter again to the Chancellor for her/his decision which shall be final:

Provided further that, where a Selection Committee recommends to the Executive Council the name of one person only, and that person is not acceptable to the Executive Council, the Executive Council shall record its reasons in writing for not accepting their recommendation and direct the Registrar to advertise the vacancy again and convene a meeting of the Selection Committee for making a fresh recommendation, and in doing so, communicate to every member of the Selection Committee thereon, as recorded above.

- (4) Where an appointment is to be made to a temporary vacancy of teacher of the University, the appointment shall be made, if the vacancy is for a period of one year or more, on the recommendation of the Selection Committee in accordance with the provisions of the preceding subsections and no ad-hoc appointment shall be made by the Executive Council.
- (5) If a member of the Selection Committee is unable to attend, he may send his opinion in writing to the Vice-Chancellor,

and such opinion shall be taken into consideration by the Committee in making its recommendations.

- (6) If the Executive Council does not accept any of the recommendations of the Selection Committee, it shall refer the matter to the Chancellor, stating clearly the reasons for not agreeing with the Selection Committee, and the decision given by the Chancellor thereon shall be final.
- (7) The Executive Council shall constitute one or more Committees for making recommendations to the Executive Council for appointment to other administrative posts and may prescribe through Ordinance the procedure and methods to be followed in making such recommendations.

#### Faculties

42. (1) The University shall include the Faculty of Humanities, Science, Law, Agriculture, Commerce, Management, Mass Communication, Environmental Science, Indian Fine Arts and such other Faculties as may be prescribed by the Statutes.
- (2) Each faculty shall, subject to the control of the Academic Council, have charge of teaching, the courses of study and the research work, including delivery of consultancy services in such subjects as may be assigned to such faculty by the Ordinances.
- (3) Each faculty shall consist of,—
  - (i) The Heads of the Departments;
  - (ii) Such teachers of subjects assigned to the faculty as may be appointed to the faculty by the Academic Council;
  - (iii) Such teachers of subjects not assigned to the faculty but have, in the opinion of the Academic Council, an important bearing on those subjects:
 

Provided that a teacher so elected shall hold office for a period of two years from the date of his election;
  - (iv) Such other persons as may be appointed to the faculty by the Academic Council on account of their possessing expert knowledge in a subject or subject assigned to the faculty.

#### Powers of Faculty

43. Subject to the provisions of this Act, each faculty shall have the following powers, namely:—
  - (a) to constitute the Committees of Courses and Studies in Departments assigned to it;
  - (b) to recommend to the Academic Council the courses of

studies for the different examinations after consulting the Committees of Course and Studies;

- (c) to recommend to the Academic Council, after consulting the Committees of Courses and Studies, the names of the examiners in subjects assigned to the faculty;
- (d) to recommend to the Academic Council the conditions for the award of Degrees, Diplomas and other distinctions;
- (e) to encourage, subject to prior approval of the Academic Council, research in subjects assigned to the faculty; and
- (f) to deal with any other matter referred to it by the Academic Council.

Directors of  
Centre

44. (a) There shall be a Director of each Centre who shall be responsible for the due observance of the Statutes, Ordinances and Regulations relating to the Centre. He/She shall be the Executive Officer of the Centre and shall preside at its meeting.
- (b) The Director of Each Centre shall hold office for a period of three years and be appointed by the Executive Council from amongst the Professors/Associate Professors of the University

Students'  
Advisory Council

45. (1) There shall be a Students' Advisory Council which shall consist of the following members, namely:—
- (i) The Dean of Students' Welfare as the Chairperson;
  - (ii) The Director/ Deputy Director of Students' Welfare as Ex-officio Treasurer
  - (iii) President and Secretary of the University Teachers' Association;
  - (iv) President, Vice-President and Secretary of the University Students' Union;
  - (v) Principals of the Affiliated and constituent Colleges, if any;
  - (vi) One student from each teaching Faculty of the University is to be elected as prescribed by the Statutes;
  - (vii) Six students, one from each of the five activities mentioned below who have shown outstanding performances in the following activities, are to be nominated by the Vice Chancellor, namely:—
    - (a) Sports;
    - (b) National Service Schemes;
    - (c) National Cadet Corps

- (d) Cultural activities;
- (e) Art and Literature;
- (f) Specially abled;
- (viii) four female students to be nominated by the Vice-Chancellor;
- (ix) the Director of Sports and Physical Education, if any;
- (x) the members of the Students' Advisory Council shall elect from amongst themselves the Secretary of the Council;
- (xi) two members (one female) from Kokrajhar University Alumni (to be nominated by the Vice-Chancellor).
- (2) The term of the members of the Students' Advisory Council other than ex-officio members shall be one year.
- (3) the quorum of a meeting of the Students' Advisory Council, the rules of procedures and conduct of business to be followed at a meeting, the period within which a meeting shall be called, and such other matters as may be prescribed by the statute:

Provided that no student shall be eligible to be or continue to be a member of the Students' Advisory Council unless she/he is enrolled as a student. A student member shall cease to be such a member if he/she fails to pass at the next University Examination.

Functions of the  
Students'  
Advisory Council

46. The functions of the Students' Advisory Council shall be as follows:—
- (i) to make recommendations to the Executive Council and the Academic Council in the matters affecting the students' corporate life of the University in so far as it concerns the students and the co-curricular activities;
  - (ii) all rules affecting discipline, welfare, sports, library, Management of Hostels, extension work, social work, students' health, N.C.C, National Service Scheme etc., shall be placed before the Students' Advisory Council for its views before the Executive Council takes any decision;
  - (iii) the Vice-Chancellor or any authority of the University may ask for the views of the Students' Advisory Council on any matter concerning the welfare of students;
  - (iv) the Chairman of the Students' Advisory Council shall be the

- authority to decide whether a matter does or does not concern the students;
- (v) the Students Advisory Council shall frame its own rules of business and shall submit the same to the Executive Council for consideration and approval.
- University Fund 47. (1) The University shall have a Fund to be known as "Kokrajhar University Fund" to which shall be credited all its income, fees, fines, contributions, donations, loans and advances from any other sources.
- (2) The University may also create by Ordinance made on this behalf one or more separate special funds for the administration of endowments, trusts or other grants for specific purposes.
- (3) The State Government shall, for the purpose of this Act, contribute annually to the University Fund so as to enable the University to run smoothly and efficiently.
- Accounts and Audit 48. (1) The annual accounts and balance sheet of the University shall be prepared under the direction of the Executive Council and shall be submitted to the Chancellor for the purpose of Audit.
- (2) The account when audited by Comptroller and Auditor General shall be submitted through the Executive Council, to the University Court, the Chancellor and to the State Government and thereupon, the State Government shall publish the same in the official Gazette. The Executive Council shall also submit to the Court on or before such date as may be prescribed by the Statutes, a statement of the financial estimates for the ensuring year.
- (3) The annual accounts and the final estimates shall be considered by the Court at its annual meeting and the court may pass resolutions whereon and communicate the same to the Executive council.
- (4) Such Annual Statement of Accounts shall, together with copies of the audit report, be tabled before Assam Legislative Assembly.
- (5) The Finance Committee of the University shall conduct half-yearly internal audit and the report of such audit shall be submitted to the State Government regularly.
- (6) Notwithstanding anything contained hereunder, the State Government shall have power when deemed necessary to order an audit of the accounts of the University.
- (7) The annual budget estimates shall, after the Executive



Council finalises these, be circulated to the Chancellor, State Government and all members of the Court at least fifteen days before they are submitted to the State Government.

- (8) The University shall obtain prior approval from the Finance (Budget) Department of the State Government for opening any account in a Nationalized Bank or any other Bank. The operation of such Account by the University shall be as per approvals accorded from time to time by the said Department.

#### Statutes

49. Subject to the provisions of this Act, the Statutes may provide for all or any of the following matters, namely:-
- (i) introduction of Chair.
  - (ii) the conferment of honorary Degrees;
  - (iii) the Institution of Fellowships, Scholarship, Exhibition and Prizes;
  - (iv) the terms of office, the method of appointment and the conditions of service of the officers of the University;
  - (v) the designation and the powers of the officers of the University;
  - (vi) the constitution, powers and duties of the authorities of the University;
  - (vii) the establishment of Hostels and their maintenance;
  - (viii) the constitution of Pensions, Insurance and Provident Funds for the benefit of the officers, teachers, clerical and other staff;
  - (ix) the maintenance of a register of registered graduates; and
  - (x) All matters, which by this Act, are to be or may be prescribed by the Statutes.

#### Framing of Statutes

50. (1) Subject to the provisions of this Act and with the approval of the Court, the Executive Council may make Statutes for the purpose of carrying out the provisions of this Act and in respect of the following all matters, namely :—
- (2) The draft Statutes or draft amendments may be approved or amended, or rejected by the Court in the manner hereinafter provided that no draft Statutes or draft amendments to Statutes with financial implication shall be amended without further reference to the Executive Council.
- (i) Every draft of the Statute proposed by the Executive



Council shall be submitted to the Court for consideration. The Court shall consider such a draft at its next meeting. The Court may pass the Statute or may amend it or may return the Statute to the Executive Council for re-consideration;

- (ii) any draft of a Statute proposed by the Executive Council and rejected by the Court shall be submitted to the Chancellor, who may refer it back to the Court for reconsideration;
- (iii) every Statute passed by the Court shall be submitted to the Chancellor, who may give or withhold his consent or refer it back to the Court for reconsideration;
- (iv) a Statute passed by the Court shall have no validity until it has been assented to by the Chancellor;
- (v) any member of the Court may propose to the Executive Council the draft of any Statutes, and the Executive Council shall submit such proposed draft to the Court with its comments.

#### Ordinances

51. Subject to the provisions of this Act, and Statutes, the Executive Council may frame Ordinances to provide for all or any of the following matters, namely:-
- (i) the admission of students to the University and their enrolment as such;
  - (ii) the courses of study to be laid down for all Degrees and Diplomas of the University;
  - (iii) the conditions under which the students shall be admitted to the Degree and Diploma courses, the examinations of the University and the eligibility for the Degrees and Diplomas;
  - (iv) the conditions of residence of the students of the University;
  - (v) recognition of the Hostels;
  - (vi) the qualifying attendance required in the various courses;
  - (vii) the extension of teaching in any suitable Centre within the State by means of University extension lectures or others;
  - (viii) the emoluments and conditions of service of teachers of the University;  
the fees to be charged for study in the University and for admission to the examinations, Degrees and Diplomas of the University;
  - (ix) the formation of Departments of teaching in the faculties;
  - (x) the constitution, powers and duties of the Boards of the
  - (xi) the constitution, powers and duties of the Boards of the

University;

- (xii) the conduct of examinations; and
- (xiii) all matters which by this Act or the Statutes are to be or may be provided by the Ordinances.

- Regulations
52. (1) Subjects to the provisions of this Act, Statutes and Ordinances, each of the authorities of the University may make Regulations consistent with this Act, the Statutes and the Ordinances for the purpose of carrying out the duties and for exercising the powers assigned to the authority concerned under this Act, the Statutes and the Ordinances.
- (2) Without prejudice to the generality of the preceding subsection, such Regulations may provide for all or any of the following matters, namely:
- (i) number of members required to form a quorum;
  - (ii) all matters which are required to be prescribed by the regulations under this Act, Statutes or the Ordinances;
  - (iii) all matters solely concerning the authorities and not otherwise provided for by or under this Act, Statutes or Ordinances.
- (3) Notwithstanding anything contained in preceding subsections, the Executive Council may direct, except the Court, to make such amendments and annulments of any regulations framed by the authority in such manner as it may specify :
- Provided that any authority which is dissatisfied with such directions of the Executive Council may appeal to the Chancellor, and the decisions of the Chancellor given in the appeal shall be final.

- Affiliation
53. After the commencement of this Act, any College or Institution applying for affiliation to the University shall satisfy the Executive Council,—
- (a) that the College shall be under the management of a duly constituted Governing Body, which shall include at least two representatives of the teaching staff of the College or Institution, as the case may be, including the Principal;
  - (b) that the land and buildings of the College or Institution, as the case may be, and the equipment for teaching therein are adequate and suitable;
  - (c) that the strength and qualification of the teaching staff are sufficient for the courses to be imparted in the College or

- Institution and that the tenure of the office of teaching staff is reasonable;
- (d) that adequate arrangement shall be made for the welfare, discipline and supervision of its students;
  - (e) that the financial recourses of the College or Institution are adequate to make provisions for its continued maintenance and efficient working;
  - (f) that the affiliation of the College or Institution shall not affect the educational facilities provided by other Colleges or Institutions in the same neighborhood.
- Acts or Proceedings not to be invalid by reasons of certain irregularities
54. No Act or proceedings of the University or of any authority or Committee of the University shall be invalid merely by reasons of the existence of any vacancy or vacancies among its members or by reason of the invalidity of the election, nomination, appointment of any of its members or by reason of any irregularity in the manner of choosing a member.
- Chancellor's decision to be final in certain matters
55. Whenever any question arises as to whether any person has been duly elected, appointed, chosen or nominated as, or is entitled to be, a member of any authority or Body of the University or whether any decision of any of the Authorities or of the Vice-Chancellor of the University is in conformity with this Act, the Statutes and the Ordinances, the question shall be referred to the Chancellor whose decision shall be final.
- Delegation
56. Subject to the provisions of this Act, the Vice-Chancellor, and with the previous approval of the Vice-Chancellor, the Registrar may delegate any of her/his powers or duties conferred upon, imposed by or under this Act to an Officer under her/his direct administrative control.
- Transitory Provisions:
57. (1) All posts of Kokrajhar Government College, including the vacant posts, shall be transferred immediately to the Kokrajhar University with effect from the date of commencement of this Act. Further, new posts shall be created as per requirement.
- (2) The existing teaching staff of Kokrajhar Government College qualified to teach in the University shall become teaching staff of the Kokrajhar University as per the transitory provision of this Act. The unqualified teaching staff, if any, may be transferred to nearby colleges.
- (3) For Associate Professors who wish to be promoted to Professors, they must go through the proper selection of Professorship, as per UGC guidelines applicable for appointment of Professors in a University (not through CAS). They shall be considered as fresh appointments, and

service rules applicable for University professors at the time of appointment shall be considered.

- (4) Pension matters of all existing teaching and non-teaching staff of Kokrajhar Government College under both Old Pension Scheme (OPS) and New Pension Scheme (NPS), as the case may be, shall be protected and carried over under the financial jurisdiction of Kokrajhar University. For pensions, the window for opting for the route of Accountant General, Government of Assam or Kokrajhar University will remain open for up to two years; after that period, Kokrajhar University shall be responsible for the payment of pensions. However, if any Associate Professor is selected as per University Grant Commission (UGC) guidelines for the University, he/she shall be governed by the service condition of the University.
- (5) The age of superannuation of Professors shall be as per University Grant Commission (UGC) norms.
- (6) From the date of commencement of the Kokrajhar University Act, the Governing Body of the existing Kokrajhar Government College shall cease to exist, and the Executive Council under section 28 and other statutory bodies, formed under section 24 of Kokrajhar University Act, shall function as the executive body of the University.
- (7) The Chancellor shall, within three months from the date of the commencement of this Act, shall appoint, on such terms and conditions as he/she deems fit, a person to be the Vice-Chancellor. For this purpose, he/she may constitute an Advisory Board. An officer not below the rank of Joint Secretary in the Education (Higher) Department shall be the Secretary to the search committee so constituted.
- (8) The first Vice-Chancellor shall, within a period of three months from the date of her/his appointment or within such longer period, not exceeding six months from the date of his appointment as the Vice-Chancellor, may by notification, direct and with the assistance of a Committee consisting of not more than six members nominated by the Chancellor, cause the first Statutes, the first Ordinances and the first Regulation so framed to come into force with effect from the date of such publication as if they were framed or made under the provisions of the Act relating to them.
- (9) The first Vice-Chancellor shall within three months or within such a longer period not exceeding six months as the State Government may, by notification direct, from the date of coming into force of the first Statutes, the first Ordinance

and the first Regulation, cause arrangements to be made for constituting the first Court, the first Executive Council, the first Post-Graduate Board in accordance with the first Regulations.

- (10) The State Government shall, by notification in the Official Gazette, appoint a date, and on and from such date, the authorities of the University constituted under section 24 shall commence exercising the powers and duties conferred upon them by or under this Act, the first Statutes, and the first Regulations,
- (11) The first Statutes, the first Ordinances and the first Regulations of the University shall remain in force until new Statutes, new Ordinances and new Regulations are made under the provisions of this Act.
- (12) The first Vice-Chancellor may, subject to the sanction of the Chancellor, appoint such administrative, ministerial and other staff as he/she deems necessary for giving effect to the provisions of this section with prior approval of the Government.
- (13) Notwithstanding that all the officers and members of the authorities constituting the University have not been appointed, nominated, chosen or elected, as the case may be, the University shall be deemed to have come into existence on and from the date on which this Act comes into force.
- (14) The existing Councils and Boards of the Kokrajhar Government College shall remain functional till the formation of the same by the Vice-Chancellor.

The first  
appointment of  
Registrar

58. Notwithstanding anything contained in this Act, the first Registrar of Kokrajhar University shall be the existing Principal of Kokrajhar Government College till his superannuation.

Appointment of  
Teachers

59. (1) The teachers of the University may be appointed by the Executive Council after considering the recommendations of a Selection Committee consisting of the Vice-Chancellor and such other person or persons as per rules and regulations of the University.
- (2) The seniority of the teachers in the integrated Degree and Post-Graduate course shall be maintained as per norms.
- (3) The headship in the Department shall rotate every two years among those who are eligible for it.
- (4) The University shall not create any post without the approval of the State Government.

Existing Teacher  
and Staff

60. (1) All post of Kokrajhar Government College and Kokrajhar University including the vacant posts are transferred immediately to the Kokrajhar University with effect from



the date of commencement of this Act.

- (2) The existing teachers and staff of the Kokrajhar Government College and Kokrajhar University shall constitute a special cadre with respect to their service condition at the time of their appointments.
- (3) All salary and pension matters of the present and past teacher and staff of Kokrajhar Government College (now upgraded to Kokrajhar University) shall be handled by the Directorate of Higher Education, Assam.

State  
Government's  
Power of  
Supervision

61. (1) If, at any time, the State Government is of the opinion that special reasons exist that the affairs of the University are not managed in furtherance of the objects for which any grant or donation is specifically made by the State Government, public bodies or individuals, or that the University Funds are misappropriated or misapplied, the State Government may indicate to the Executive Council such matter in regard to which the State Government desires an explanation and call upon that body within reasonable time to offer such explanation as it may desire to offer, with any proposal which it may desire to make.
- (2) If the Council fails to offer any explanation or makes proposal or proposals which, in the opinion of the State Government is or are unsatisfactory, the State Government may issue such instructions as may appear to them to be necessary and desirable in the circumstances of the case, and the Executive Council shall give effect to such instructions.

Emergency  
Power of the  
State  
Government

62. (1) If, at any time, it appears to be necessary and expedient in the opinion of the State Government, the State Government may, with prior consultation with the Chancellor, by a notification published in the Official Gazette, suspend all or any of the powers of the University as provided in section 6 and other powers as may be ancillary to such powers and take over all or any of the powers of management, functions of such authorities or officers including holding, conduct and superintendence and management of, and appointment of any person or authority in connection with any or more examination or publication of the result of any such examination or to any matter incidental thereto for such period as may be specified in the notification and may be exercised by the State Government, if and when necessary, during such period, in such manner and through such officers or authority as may be considered fit by the State Government.
- (2) Provisions of the Statutes, Ordinance and Regulations



framed under this Act relating to any one or more of the matters referred to in the preceding sub-section may be amended for any of the purposes mentioned therein in such manner as may be decided by the State Government in prior consultation with the Chancellor and shall take effect accordingly for the purposes of exercising the powers under the preceding sub-section.

- (3) The State Government may constitute an Advisory Committee consisting of at least three persons who, in the opinion of the State Government, are eminent educationists for advising the State Government in the matter of discharging the powers, duties, functions and responsibilities in respect of which such powers are taken over by the State Government under sub-section (1) of this section.

Interpretation      63. If any dispute arises as to the interpretation of any of the provisions of this Act, the interpretation given by the Chancellor shall be final and binding to all concerned.

Removal of  
Difficulties      64. (1) If any difficulty arises as to the first constitution or reconstitution of any authority of the University after the commencement of this Act or otherwise in giving effect to the provisions of this Act, the State Government may, by order, remove the difficulties as it deems necessary for the purpose.

- (2) Notwithstanding all that is contained in this Act, any difficulty or dispute encountered by the University shall be attended to by the Vice-Chancellor in order to provide a solution, in consultation with the Chancellor, if required. In all such matters, the Vice-Chancellor's decision shall be final.

**STATEMENT OF OBJECT AND REASONS**

The objective is to introduce the “The Kokrajhar University Bill, 2024” to upgrade Kokrajhar Government College to Kokrajhar University. The proposed University shall constitute a multidisciplinary teaching, research and affiliating University at Kokrajhar.

**RANOJ PEGU,**  
Minister, Education.

**HEMEN DAS,**  
Principal Secretary,  
Assam Legislative Assembly.

**FINANCIAL MEMORANDUM**

There is financial involvement in the proposed Kokrajhar University Bill, 2024 which necessitates expenditures from the consolidated fund of the State of Assam.

**MEMORANDUM OF DELEGATED LEGISLATION**

There is provision of delegated Legislation in the proposed Kokrajhar University Bill, 2024.

**RANOJ PEGU,**  
Minister, Education.

**HEMEN DAS,**  
Principal Secretary,  
Assam Legislative Assembly.

## ASSAM STATE SCHOOL EDUCATION BOARD BILL, 2024

### A BILL

to provide for the establishment of the School Education Board, Assam to regulate, supervise and develop Secondary Education in the State of Assam by merging the existing Board of Secondary Education, Assam and Assam Higher Secondary Education Council.

#### Preamble

Whereas it is expedient to establish a Board to regulate, supervise and develop the system of Secondary School Education in the State of Assam.

It is hereby enacted in the Seventy-fifth year of Republic of India as follows: -

#### Short title, extent and commencement

1. (1) This Act may be called the Assam State School Education Board Act, 2024.
- (2) It extends to the whole of Assam.
- (3) It shall come into force on such date as the State Government may, by notification in the Official Gazette appoint.

#### Admission of Institutions in other States and Administration to the privileges of the Board

2. Notwithstanding anything contained in section 1 of this Act, any Government of a State or Territory or Administration other than the State Government may apply to the Board for being admitted to the privileges of the Board and the Board may subject to such conditions as it may think fit to impose, admit such State or Territory or Administration to the privileges of the Board.

In order to impart education at the secondary stage in the State, two separate divisions (i.e., Division-I and Division-II) for imparting education from Class VI to X and from Class XI to XII respectively shall be provided.

#### Definitions

3. In this Act, unless there is anything repugnant to the subject or context ;
  - (a) 'Board' means the Assam State School Education Board (ASSEB) established under section 4 of this Act;
  - (b) 'Chairman' means the Chairman of Assam State School Education Board ( ASSEB) ;
  - (c) 'Vice-Chairman' means –
    - (i) the Vice-Chairman of Division-I for imparting education from Class VI to X;
    - (ii) the Vice-Chairman of Division-II for imparting education from Class XI to XII;

- (d) 'Secretary' means –
  - (i) the Secretary of Division-I for imparting education from Class VI to X ;
  - (ii) the Secretary of Division-II for imparting education from Class XI and XII ;
- (e) 'Principal Chief Accounts Officer' means Financial Adviser to the Board or Chairman or Vice-Chairman or Secretaries of each Divisions ;
- (f) 'Controller of Examinations' means –
  - (i) the officer of Division-I for conducting examinations of Class VI to VIII ;
  - (ii) the officer of Division-I for conducting examinations of Class IX and X ;
  - (iii) the officer of Division-II for conducting examinations to Class XI and XII ;
- (g) 'Fund' means the Assam State School Education Board Fund constituted under this Act for imparting education from class VI to XII :

Provided that a consolidated fund shall be generated under this Act by merging the existing fund of Board of Secondary Education Board of Assam (SEBA) and Assam Higher Secondary Education Council (AHSEC) under such terms and conditions as deem fit and proper.
- (h) 'Education Department' means the Education department of the Government of Assam ;
- (i) 'Principal or Head Master' means the head of the teaching staff of a High School, Higher Secondary School, Senior Secondary School or College by whatever name he or she is designated;
- (j) 'High School' means a School or Department of School giving instructions in Class I to X or Class VI to X;
- (k) 'Higher Secondary School' means a School or Department of School giving instructions in Secondary Education from Class I to XII or VI to XII;
- (l) 'Senior Secondary School' means a School or Department of School giving instructions in Secondary Education in Class XI to XII;
- (m) 'Managing Committee' means a Managing Committee of a Secondary School ;
- (n) 'Governing Body' means a Governing Body of a Senior Secondary School or College ;

- (o) 'recognized' means recognized by the Board for the purpose of admission to the privileges of the Board or prior to recognition by the Board, by any University established by law in India or by any Board recognized by the State Government ;
- (p) 'regulation' means a regulation made by the Board under this Act ;
- (q) 'rules' means rules made by the State Government under this Act ;
- (r) 'Secondary Education' means such education as is designed to meet the needs of the secondary stage (i.e., Class VI to XII) which follows immediately the stage of Foundational and Numerical Stage and precedes immediately the stage of Degree or Diploma Education controlled by the University established by law in India or by a Council constituted by Government for this purpose ;
- (s) 'notification' means a notification published in the Official Gazette ;
- (t) 'Government' means the Government of Assam;
- (u) 'State' means the State of Assam;
- (v) 'ASOS' means the Assam State Open Schooling imparting education at secondary stage in ODL (Open and Distant Learning) mode in the line of National Institute of Open Schooling (NIOS).

Establishment of  
the Board and its  
status

4. (1) The Government shall as soon as may be after the commencement of this Act, establish by notification a Board for regulation, supervision and development of Secondary Education in two divisions in accordance with the provisions of this Act.
- (2) The Board shall be a body corporate having perpetual succession and a common seal for Division-I and Division-II respectively and shall have power to acquire and hold property, both movable and immovable and to transfer any property held by it (of both the divisions) necessary for the purpose of carrying out their duties and functions and shall by the said name sue or be sued.

Constitution of the  
Board

5. (1) The Board shall consist of the following members, namely:-
  - (i) A Chairman to be nominated by the Government;
  - (ii) Vice-Chairman of each Division to be nominated by the Government;

EX-OFFICIO MEMBERS

  - (iii) Senior most Secretary of the School Education, Assam;



- (iv) Secretary of the Division-I;
- (v) Secretary of the Division-II;
- (vi) Mission Director, National Health Mission, Assam;
- (vii) Chairman, State Council of Vocational Training;
- (viii) Director of Employment and Craftsmen Training;
- (ix) Director of Secondary Education, Assam;
- (x) Director of Elementary Education, Assam;
- (xi) Director of State Council of Educational Research and Training (SCERT) Assam;
- (xii) Director of Social Justice and Empowerment;
- (xiii) Director of Tea Tribe Welfare;
- (xiv) Director of Bodo and Other Tribal Language;

## MEMBERS TO BE NOMINATED BY THE GOVERNMENT

- (xv) One Inspector of Schools;
- (xvi) One Principal of Higher Secondary Schools;
- (xvii) One Headmaster and one Headmistress of High Schools;
- (xviii) One representative from any three Universities of the State of Assam on the recommendations of the respective Vice-Chancellors;
- (xix) One representative, either President or Secretary of Middle English (M.E) Schools Teacher's Association, High School Teachers Association, Madhaymik Sikshak Santha, Higher Secondary Teachers Association;
- (xx) Three Principals of Colleges, preferably from each stream;

## CO-OPTED MEMBERS

- (xxi) The Board shall have the power to co-opt not more than three members from amongst the distinguished educationists, who shall consist of members otherwise than those nominated by Government.
- (2) The State Government shall appoint one officer of the State Government officiating in the rank of Joint Secretary in each division as Ex-officio Secretary of the respective Divisions of the Board who shall also be an Ex-officio member of the Board. The emoluments of the Secretary shall be determined by the Government and shall be paid from the Boards' Fund, if required.

Term of Chairman, Vice-Chairman and Members of the Board	6.	The Chairman and the Vice-Chairman of the Board shall be nominated by the Government for a term of three years. The age of the members at the time of their appointment or re-appointment, shall be less than 70 (seventy) years and the member may be nominated for a second term which shall also be three years only.
Terms of the Nominated and Co-opted Members of the Board	7.	<p>(1) Nominated members shall hold office for a term of three years from the date of notification published under section 10 and the term of office of co-opted members shall be terminated on the same date as that of the nominated members or till they attain the age of sixty years (up to retirement), whichever is earlier:</p> <p>Provided that the State Government may, by notification in the Official Gazette, extend the term not exceeding one year.</p> <p>(2) Notwithstanding the expiry of the term of three years specified in sub-section (1) above, the term of office of the outgoing members shall be deemed to extend to the date of which the names of the newly nominated members are published under section 10.</p>
Emoluments of the Chairman and Vice-Chairman and other members	8.	The emoluments of the Chairman, Vice-Chairman and other members shall be determined by the Government and such emolument shall be paid from the Boards' fund.
Removal of the Chairman or Vice-Chairman	9.	<p>(1) The Government may remove the Chairman or Vice-Chairman as the case may be before the expiry of his or her term of appointment by giving one month's notice thereto, in writing, if the Government considers his or her continuance as Chairman or Vice-Chairman for good and sufficient grounds, to be detrimental to the interest of the Board.</p> <p>(2) The Chairman or Vice-Chairman shall be removed from his office by order of the State Government only on the grounds of proved misbehavior or incapacity, when established after an enquiry.</p> <p>(3) The inquiry against the Chairman and Vice-Chairman of the Board shall be conducted by a retired Judge of High Court.</p> <p>(4) The State Government may allow compulsory leave to the Chairman or Vice-Chairman from office, and if deems necessary prohibit them also from attending the office during inquiry.</p> <p>(5) Notwithstanding anything contained in sub-section(1) , the State Government may by order remove from office of the Chairman or Vice-Chairman, if the Chairman or Vice-Chairman,-</p> <p>(i) is adjudged an insolvent; or</p>

- (ii) has been convicted of an offence which, in the opinion of the State Government, involves moral turpitude; or
  - (iii) engages during his term of office in any paid employment outside the duties of his office; or
  - (iv) is in the opinion of the State Government, unfit to continue in office by reason of infirmity of mind or body; or
  - (v) has acquired such financial or other interest as is likely to affect prejudicially his functions as Chairman or Vice-Chairman.
- Publication of names of the members of the Board      10. The names of the person nominated or co-opted as members of the Board, shall be published by notification in the Official Gazette by the Government.
- Emoluments of the Chairman and Vice-Chairman and other members      11. The emoluments of the Chairman, Vice-Chairman and other members shall be determined by the Government and such emolument shall be paid from the Boards' fund.
- Disqualifications for membership      12. (1) A person shall not be eligible for nomination or co-option as a member of the Board or of the Committees formed by it, if he or she –
- (a) has been adjudged by a court of law to be of unsound mind ;
  - (b) is an undischarged insolvent ;
  - (c) has been convicted by a court of law for an offence involving moral turpitude ;
- (2) If a nominated or co-opted member of the Board or any Committee formed by it, becomes, subject to any of the disqualifications specified in sub-section (1), his or her membership shall cease.
- (3) All disputes relating to the eligibility of any person for nomination or co-option shall be referred to the Government whose decision on such matter shall be final.
- Resignation of members and casual vacancy etc.      13. (1) The Chairman or Vice-Chairman as the case may be, may resign his or her seat by giving notice thereto in writing to the Government and he or she shall be deemed to have vacated his or her seat from the date of acceptance of his or her resignation by the Government.
- (2) A member of the Board, other than the Ex-officio member may resign his or her seat by giving notice thereof in writing to the Chairman, and such member shall be deemed to have vacated his or her seat from the date of acceptance of his or her resignation by the Chairman.

- (3) The Government may, by notification, remove any nominated or co-opted member who remains absent from three consecutive meetings of the Board without the leave of the Board.
  - (4) In the event of casual vacancy occurred by resignation, removal, death or disqualification of a member, such vacancy shall be filled up by nomination or co-option, as the case may be in the manner provided in section 6.
  - (5) Any person nominated or co-opted to fill a casual vacancy shall hold office for the unexpired portion of the term of office of the member in whose place he or she is nominated or co-opted.
- Meeting of the Board
14. (1) The Board shall generally meet not less than thrice a year, but four months shall not intervene between two successive meetings.
  - (2) The Chairman may at any time and shall upon requisition made by not less than one third of the members of the Board other than the Ex-officio members and on a date of not more than twenty-one days of the receipt of such requisition, call a special meeting of the Board.
  - (3) 'Twenty-one days' notice shall be given for ordinary meetings and ten days' notice shall be given for special meetings of the Board.
- Quorum
15. (1) One-third members of the Board shall form a quorum for a meeting of the Board.
  - (2) Subject to the provisions contained in sub-section (1) above, no act or proceedings of the Board shall be invalid merely by reason of the existence of any vacancy among the members of the Board.
- Officers of the Board
16. (1) The following shall be the Officers of the Board :-
    - (i) The Chairman ;
    - (ii) The Vice-Chairman of each Divisions ;
    - (iii) The Secretaries of each Division ;
    - (iv) The Controller of Examinations for Class XI and XII ;
    - (v) The Controller of Examinations for Class IX and X ;
    - (vi) The Controller of Examinations for Class VI to VIII ;
    - (vii) Chief Account Officers of each Division ;
    - (viii) The Deputy Secretaries of the Board ;
    - (ix) The Academic Officers of the Board.

- (2) Notwithstanding anything contained in sub-section (1), the Board may continue with the above mentioned officers or abolish all or any of the above post or create new post after the retirement of any designated officer of the Board for smooth functioning of the Board.
- (3) The Board may appoint after creation of new posts for such other officers and employees as it may consider necessary for the efficient discharge of its functions under this Act on such terms and conditions as may be determined in the regulations made by the Board. The financial burden to the Board cannot be increased due to such creation of the post.
- (4) All the existing staff both regular and contractual shall continue to work as per their existing terms and conditions including payment of pension.

Power and Duties  
of the Board

17. Subject to the provisions of this Act the powers and duties of the Board shall be as follows, namely :-
  - (i) to prescribe curriculum, syllabus and courses of instructions for Grade-IV to Grade-XII stages ;
  - (ii) to conduct examinations based on such courses ;
  - (iii) to admit to its examinations, on conditions that may be prescribed by regulations, candidates who have pursued the prescribed course of instruction and also take such disciplinary action against candidates as may be prescribed by regulation ;
  - (iv) to demand and receive such fees as may be prescribed by regulation ;
  - (v) to publish the results of its examination ;
  - (vi) to grant certificates to students passing the examinations ;
  - (vii) to institute and award scholarships, prizes etc ;
  - (viii) to prescribe and select textbooks and supplementary books ;
  - (ix) to lay down conditions of recognition of Grade-VI to Grade-XII ;
  - (x) to recognize Schools having Classes from VI to XII and to withdraw such recognition ;
  - (xi) to take such disciplinary action as it thinks fit against institutions as may be prescribed ;
  - (xii) to adopt measures for study and examinations, of problems in the field of School Education from Classes VI to XII ;
  - (xiii) to advice the Government on physical, moral and social welfare of students in recognized institutions ;

- (xiv) to prescribe conditions of their residence and discipline ;
- (xv) to ascertain necessary qualifications of teachers in recognized Schools from Classes VI to XII in the manner as may be prescribed;
- (xvi) to organize seminars and provide in-service Teachers' Training Courses ;
- (xvii) to receive the grants from the Government and donations from private and individuals or associations for specific or general purposes ;
- (xviii) to call for reports from the Director of Secondary Education regarding the conditions of recognized institutions or of institutions applying for recognition ;
- (xix) to advice Government on re-organization and development of School Education having classes from VI to XII ;
- (xx) to advice the Government, relating to any matter within the provisions of this Act on which the Government may consult the Board ;
- (xxi) to appoint officers and other employees of the Board and to prescribe by regulations the terms and conditions of their services ;
- (xxii) to provide for the benefit of its officers and other employees with Pension, Gratuity, General Provident Fund and National Pension System (NPS) as it may deem fit in such manner, and subject to such conditions as may be prescribed by the regulations ;
- (xxiii) to delegate any of its powers to any Committee constituted by this Act ;
- (xxiv) to administer the School Education Board Fund ;
- (xxv) to receive, purchase and hold any property, movable or immovable, which may become vested in it, and to dispose of all or any of the property, movable or immovable belonging to it, and also do all other acts incidental or appertaining thereto;
- (xxvi) to do such acts and things as may be necessary to carry out the purpose of this Act ;
- (xxvii) to prescribe curriculum, syllabus and courses of instructions of ASOS for Secondary Stage which may be imparted through an Accredited Study Centre (ASC) in a College or Higher Secondary School or Senior Secondary School or High School permitted or recognized by the Board for catering to the needs of Secondary School dropouts, working adults, housewives, socially disadvantage sections etc. through Open and Distant Learning (ODL) education



- system. The course curriculum, instructional process and evaluation system shall be as per the norms being followed by the National Institute of Open Schooling (NIOS) ;
- (xxviii) to hold any examinations other than Board examinations as entrusted by the State Government without affecting the Board Examinations ;
- (xxix) To exercise overall superintendence, direction and control over all the State Government officers whose services are placed at the disposal of the Board for posting as Secretary or Principal Chief Accounts Officer ; and
- (xxx) to recommend to the Disciplinary Authority any legal or departmental action against the Secretary or Principal Chief Accounts Officer for any misconduct or for commission or omission of any act detrimental to the Board or for any conduct unbecoming of a Government servant.
- Preparation and publishing of Textbooks and Supplementary Books
18. Preparation and Publication of Textbooks and Supplementary Books shall be done by the Board as per direction of the State Government from time to time.
- Powers of the State Government
19. Notwithstanding anything contained in this Act-
- (1) The State Government shall have the right to address the Board with reference to anything conducted or done by the Board and to communicate its views on any matter with which the Board is concerned.
  - (2) The Board shall report to the State Government such action, if any, as it proposes to take or has taken, on the communication of the State Government.
  - (3) The State Government may after consultation with the Board issue such directions consistent with the provisions of this Act, as it may think fit, and the Board shall comply with such directions.
  - (4) The State Government may, by order in writing specifying the reasons thereof, suspend with execution of any resolution or order of the Board, and prohibit the doing of an act ordered to be done by the Board, if the State Government is of the opinion that such resolution, order or act is in excess of the powers conferred upon the Board by or under this Act.
  - (5) The State Government may, after consultation with the Board, suspend or remove a member whose continuance as a member of the Board, is considered to be detrimental to the interest of the Board.

Constitution of State School Education Board Fund	20.	A fund to be called Assam State School Education Board Fund shall be constituted and all sums received by or on behalf of the Board under this Act shall be placed to the credit thereof.
Custody and investment of the State School Education Board Fund	21.	All the moneys at the credit of the Fund shall be kept in the State Bank of India or the Assam Co-operative Apex Bank Ltd., as the Board may determine.
Application of the Fund	22.	Subject to the provisions of this Act, the Fund shall be applicable only to the payment of the charges and expenses incidental to matters specified in this Act.
Internal Audit of the Accounts of the Board	23.	<p>(1) The accounts of the Board must be internally audited by a Chartered Accountant and proper final accounts are to be prepared as per income Tax Laws.</p> <p>(2) The State Government shall appoint one officer of the State Government officiating in the rank of Financial Advisor or above in the Board to advise on financial matters. The emoluments of the Principal Chief Accounts Officer shall be determined by the Government and shall be paid from the Boards' fund, if required.</p>
Audit of the Accounts of the Board	24.	The accounts of the Board shall be audited only by such agency as may be specified by the State Government, and a copy of the audited accounts shall be submitted by the Board of the State Government by such date of each year as the Government may specify, in addition to audit of Accounts by a Chartered Accountant.
Powers and duties of the Chairman	25.	<p>The Chairman of the Board shall have following powers and duties, namely :-</p> <p>(1) He or she shall have all powers necessary for the purpose of the Act.</p> <p>(2) It shall be the duty of the Chairman to see that the provisions of this Act and the regulations made under it are properly observed, and the decisions of the Board are duly implemented and he or she shall have all powers necessary for this purpose.</p> <p>(3) The Chairman shall have the power to convene meeting of the Board.</p> <p>(4) In absence of the Chairman, he shall have the power to depute any of the Vice-Chairman to convene the meeting of the Board.</p> <p>(5) When any emergency arising out of administrative business of the Board requires, in the opinion of the Chairman, that immediate action should be taken, the Chairman shall take</p>

- such action as he deems necessary and report his or her action to the Board at its next meeting.
- (6) The Chairman and Vice Chairman shall exercise such other powers as may be prescribed by the regulations.
- Powers and duties of the Secretary** 26. The Secretary of each Division of the Board shall be the Principal Administrative Officer for the Division concerned, and shall subject to the control of the Chairman and Vice-Chairman as the case may be, perform such duties as may be prescribed by regulations.  
The senior-most Secretary of the Divisions shall function as the Secretary of the Board.
- Powers and duties of other Officers** 27. The Other Officers of the Board shall have such powers and duties as may be prescribed by the regulations.
- Committees of the Board** 28. (1) The Board shall for the purpose of carrying out its duties and functions imposed under this Act appoint the following Committees, namely-
- (i) Curriculum and Syllabus Committee ;
  - (ii) Examination Committee ;
  - (iii) Recognition Committee ;
  - (iv) Finance Committee ;
  - (v) Administrative Committee ;
  - (vi) Tender and Purchase Committee ; and
  - (vii) Technical and Information Technology (IT) Committee ;
  - (viii) Such other Committees, as may be found necessary.
- (2) Every such Committee shall consist of such members of the Board and such other members as the Board may appoint.
- (3) Every such Committee, except the Examination Committee and Administrative Committee may co-opt persons to be members to the extent of one-third of the members appointed to it.
- (4) Members of such Committee shall hold office for such time as the Board may determine.
- (5) Subject to provision of this Act and the rules made there under, the duties and functions of the Committees shall be as determined by the regulations.
- Exercise of powers delegated by the Board to Committees** 29. All the matters relating to exercise of powers conferred upon the Board by this Act which are by regulations delegated to any Committee appointed under section 27 shall stand referred to that Committee and the Board before exercising such powers shall receive and consider the report or recommendation of the Committee with respect to the matter of question.

Powers of the Board to make regulations

30. (1) The Board may subject to the approval of the Government make regulations for the purpose of carrying out the provisions of this Act.
- (2) In particular, and without prejudice to the generality of the foregoing powers, the Board may make regulations providing for all and any of the following matters, namely, –
- (a) the Constitution, powers and duties of Committee appointed under section 27 ;
  - (b) courses of study to be laid down for different examinations ;
  - (c) marks required for passing in any subject and the examination as a whole and for credit and distinction in any subject ;
  - (d) qualifications, appointment and remuneration of examiners, paper-setters and others ;
  - (e) conducting examinations and publishing results ;
  - (f) conditions of recognition of schools and secondary schools ;
  - (g) conditions under which candidates shall be admitted to the examinations of the Board ;
  - (h) disciplinary measures for malpractices in examinations ;
  - (i) fixing of fees and charges in respect of examinations or registration etc ;
  - (j) Pension, Gratuity, General Provident Fund, National Pension System (NPS), etc. for the benefit of the employees of the Board ;
  - (k) rate of travelling and daily allowances to the non-official members of the Board or Committees ;
  - (l) delegation of powers or assignment of functions to Committees formed under this Act ;
  - (m) all matters, which by this Act, are to be or may be provided for by regulations:

Provided that all regulations and alterations and revocations thereof shall be subject to approval by the State Government and published in the Official Gazette.

Board to furnish reports, returns, etc. to the State Government

31. The Board shall furnish to the State Government such reports, returns and statements and such other information relating to any matter under the control of the Board as the State Government may require.

Powers of the government to constitute the Board	32.	If in the opinion of the State Government, the Board has shown incompetence to perform, or persistently made default in the performance of the duties imposed or exceeded or abused the powers conferred upon it by or under this Act, the State Government shall formulate in writing specific charges against the Board in respect of those matters and shall forward a copy of such charges to the Board with direction to submit any comments or explanations in respect thereof to the State Government within such period as may be specified in this behalf. After the consideration of the comments or explanations of the Board, the State Government may, if it thinks fit, by notification supersede the Board and thereafter reconstitute the Board in accordance with the provision of section 5 and in every such case, the State Government shall, as soon as may be, lay before the State Legislative a copy of the said notification together with the statement of the reasons which led to such reconstitutions.	
Vesting of powers till the reconstitution of the Board	33.	Until the Board is reconstituted after supersession, under section 29, the duties and powers of the Board shall be performed and exercised by, and the property of the Board shall vest in, such person or authority as the State Government may specify by notification.	
Power of State Government to make rules	34.	(1) The State Government may make rules for carrying out the purpose of this Act. (2) All rules made under this Act shall be laid for not less than fourteen days before the Assam Legislative Assembly as soon as possible after they are made, and shall be subject to such modification as the Legislative Assembly may make during the session in which they are so laid or the session immediately following.	
Repeal and saving	35.	The Assam Secondary Education Act, 1961 and the Assam Higher Secondary Education Act, 1984 and the rules corresponding to these Acts and in force immediately before the commencement of this Act are hereby repealed: Provided that all orders made or action taken under the Acts so repealed or under general orders ancillary thereto shall be deemed to have been validly made or taken under the corresponding provisions of these Acts.	Assam Act No. XXV of 1961  Assam Act No. XVII of 1984

**STATEMENT OF OBJECT AND REASONS**

The objective is to introduce the “The Assam State School Education Board Bill, 2024” to develop, regulate and supervise the standards and quality in School Education in the State of Assam.

**RANOJ PEGU,**  
Minister,  
Education, Assam.

**HEMEN DAS,**  
Principal Secretary,  
Assam Legislative Assembly.



**Financial Memorandum**

There is no financial involvement in the proposed “the Assam State School Education Board Bill, 2024” from the consolidated fund of the State of Assam.

**Memorandum of Delegated Legislation**

There is provision of delegated Legislation in the proposed “the Assam State School Education Board Bill, 2024”, and proposes to delegate Legislative powers to the Executive.

**RANOJ PEGU,**

Minister,  
Education, Assam.

**HEMEN DAS,**

Principal Secretary,  
Assam Legislative Assembly.

## THE SONOWAL KACHARI AUTONOMOUS COUNCIL (AMENDMENT) BILL, 2024

### A

### BILL

further to amend the Sonowal Kachari Autonomous Council Act, 2005.

#### Preamble

Whereas it is expedient further to amend the Sonowal Kachari Autonomous Council Act, 2005, hereinafter referred to as the principal Act, in the manner hereinafter appearing;

**Assam Act  
No. XX of  
2005**

It is hereby enacted in the Seventy-fifth Year of the Republic of India, as follows :-

#### Short title, extent and commencement

1. (1) This Act may be called the Sonowal Kachari Autonomous Council (Amendment) Act, 2024.
- (2) It shall have the like extent as the principal Act.
- (3) It shall come into force at once.

#### Amendment of section 2

2. In the principal Act, in section 2,
  - (i) in clause (g), the words “and ‘Village Council Fund’” shall be deleted;
  - (ii) in clause (l), the words “the Village Council or” shall be deleted;
  - (iii) clause (r) and clause(s) shall be deleted.

#### Amendment of section 3

3. In the principal Act, in section 3, in sub-section (1), in the third line, the words “of the Village Councils” shall be deleted.

#### Omission of section 4

4. In the principal Act, section 4 shall be omitted.

#### Amendment of section 20

5. In the principal Act, in section 20, sub-section (5) shall be deleted.

#### Amendment of section 23

6. In the principal Act, in section 23, in sub-section (1), in the fifth line, for the words and figures, “sections 18, 19, 43 and 44”, the figures and words “, 18 and 19” shall be substituted.

#### Omission of sections 31 to 47

7. In the principal Act, after section 30, the words, “CHAPTER-V THE VILLAGE COUNCIL” and sections 31 to 42 and the words “CHAPTER-VI POWERS AND FUNCTIONS OF THE VILLAGE COUNCIL.” and sections 43 to 47 shall be omitted.

#### Amendment of section 48

8. In the principal Act, in section 48,
  - (i) sub-section (1) shall be deleted and sub-sections (2) and (3) shall be renumbered as sub-sections (1) and (2) respectively;

- (ii) in sub-section (2), so renumbered, in the third line, the words "the Village Council Area or" and in the fourth line, the words "the Village Council and" shall be deleted.
- Amendment of section 50      9. In the principal Act, in section 50,
- (i) in sub-section (1), in the third and fifth line, for the word "Village" the word "General" shall be substituted;
- (ii) sub-section (2) shall be deleted and sub-section (3) and (4) shall be renumbered as sub-sections (2) and (3) respectively;
- (iii) for sub-section (2), so renumbered, the following shall be substituted, namely:-
- “(2) Persons whose names are included in the electoral roll as per sub-section (1) above, shall be the electorate for the election of members of the General Council.”
- Amendment of section 52      10. In the principal Act, in section 52, in the third line, the words "and the Village Council" appearing in between the words "Council" and "shall be" shall be deleted.
- Amendment of section 53      11. In the principal Act, in section 53,
- (i) in the marginal heading, the words "Village Council or" shall be deleted.
- (ii) in the first line, the words "either the Village Council or" appearing in between the words "member of" and "the General" shall be deleted.
- Amendment of section 54      12. In the principal Act, in section 54,
- (i) in the marginal heading, the words "Village Council or" shall be deleted;
- (ii) in sub-section (1), in the first line, for the words "either to the Village Council or" appearing in between the words "elected" and "the General" the word "to" shall be substituted;
- (iii) in clause (c), in the third line, the words and punctuation mark "Village Council," shall be deleted;
- (iv) in clause (h), in the proviso, in the second line, for the words and punctuation mark "a member, President or Vice-President of the Village Council or" appearing in between the words "his being" and "a member" shall be deleted.
- Amendment of section 57      13. In the principal Act, in section 57, in first line, the words "Village Councils and" and in third line, the words "the Village Councils and" shall be deleted.

- Amendment of section 58      14. In the principal Act, for section 58, the following shall be substituted, namely:-
- “58. If an elected member is chosen to be a Member of Parliament or the State Legislature then at the expiration of fourteen days from the date of publication in the Gazette of India or the Official Gazette, as the case may be, of the declaration that he has been so chosen, the seat of such member in the General Council shall become vacant unless he has previously resigned his seat in the Parliament or the State Legislature, as the case may be.”
- Amendment of section 59      15. In the principal Act, in section 59,
- (i) in sub-section (1), in the proviso, in the first line, the words and punctuation mark “Assistant District Judge, in case of member of Village Council and” and in the third line, the words and punctuation mark “in case of member of the General Council,” shall be deleted;
- (ii) in sub-section (2), in clause (a), in the third line, the words “the Village Council or” and the words and punctuation mark “, as the case may be” shall be deleted.
- Amendment of section 60      16. In the principal Act, in section 60, in the third line, the words “to the Village Councils and” appearing in between the words “election” and “to the” shall be deleted.
- Amendment of section 61      17. In the principal Act, in section 61,
- (i) in the marginal heading, the words “and Village Council Fund” shall be deleted;
- (ii) for sub-section (1), the following shall be substituted, namely:-
- “(1) For the General Council there shall be a fund called General Council Fund.”
- (iii) for sub-section (2), the following shall be substituted, namely:-
- “(2) The fund as aforesaid shall be under separate sub-head within the state budget to be held for the purpose of this Act and all moneys realized or realizable under this Act and all moneys otherwise received by the General Council shall be credited to its fund.”
- (iv) sub-section (3) to sub-section (12) shall be deleted;
- (v) sub-section (13) shall be renumbered as sub-section (3) and as so renumbered, in sub-section (3), in the first line, the words, “and the Village Council”, appearing in between the words “General Council” and “shall be” shall be deleted.

- Amendment of section 62      18. In the principal Act, in section 62, in the fifth line, the words “and Village Council” and in the ninth, eleventh and fourteenth lines, the words “and the Village Councils” shall be deleted.
- Amendment of section 63      19. In the principal Act, in section 63,
- (i) in sub-section (1), the words, “The Village Councils also shall prepare its budget in the like manner and shall submit the same to the General Council for consideration and onward transmission to the Government on or before the 1<sup>st</sup> October of the current financial year.” shall be deleted;
  - (ii) for sub-section (2), the following shall be substituted, namely:-

“(2) The Government may within such time as may be prescribed, either approve the budget or return it to the General Council, for reconsideration on the observations of the Governments, if any. The General Council shall thereupon resubmit the budget along with its comments on the observation and if the approval of the Government upon such submission or resubmission as the case may be, is not received by the General Council, the budget shall be deemed to have been approved by the Government”.
  - (iii) in sub-section (3), in the second line, for the words “as well as the budget of the Village Councils are” appearing in between the words “Council” and “either” the word “is” shall be substituted.
- Amendment of section 64      20. In the principal Act, in section 64, in third line, the words “or the Village Councils” appearing in between the words “Council” and “as the case” shall be deleted.
- Amendment of section 67      21. In the principal Act, in section 67,
- (i) in the first line, in the beginning, before the word “Subject”, the number and brackets “(1)” shall be deleted.
  - (ii) the sub-sections (2) and (3) shall be deleted.
- Amendment of section 68      22. In the principal Act, in section 68,
- (i) in the marginal heading, for the words and punctuation mark, “Dissolution of General Council, Executive Council, and Village Council” the words “Dissolution of General Council and Executive Council” shall be substituted;

- (ii) in sub-section (1), in the eighth line, for the words and punctuation mark “, the Executive Council and the Village Council” and in the tenth line, for the word and punctuation mark “, the Executive Council and the Village Councils and”, the words “and the Executive Council” shall be substituted.
- Amendment of section 69      23. In the principal Act, in section 69,
- (i) in clauses (a), in the first line, for the words and punctuation mark “, Executive Council and the Village Council”, the words “and the Executive Council” shall be substituted;
- (ii) in clause (b), in the first line, for the words “the Executive Council and the Village Council”, the words “ and the Executive Council” shall be substituted.
- Amendment of section 72      24. In the principal Act, for section 72, the following shall be substituted, namely :-
- “72. The Chief Executive Councilor and the Executive Councilors of the General Council shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code, 1860 or sub-section (28) of section 2 of the Bharatiya Nyaya Sanhita, 2023.”
- Amendment of section 73      25. In the principal Act, in section 73, in the second line, the words and punctuation mark “or the Village Council”, appearing in between the words “Council” and “as the case” shall be deleted.
- Amendment of section 74      26. In the principal Act, in section 74, in the second line, the words “or the Village Council” appearing in between the words “Council” and “or any” shall be deleted.
- Amendment of section 80      27. In the principal Act, in section 80, in the third line, for the words and punctuation mark “, The Interim Executive Council shall, in addition, look after the duties of the Village Councils till the same are constituted under this Act” shall be deleted.

Central Act No  
45 of 1860

Central Act No.  
45 of 2023



**FINANCIAL MEMORANDUM**

The bill proposes for Amendment of the Sonowal Kachari Autonomous Council Act, 2005 to remove the provisions of Village Council will not have financial burden on the State Exchequer.

**RANOJ PEGU,**  
Minister,  
Department of Tribal Affairs (Plain), Assam.

**MEMORANDUM OF DELEGATED LEGISLATION**

The Bill involves no proposals for delegation of legislative power to anyone.

**RANOJ PEGU,**  
Minister,  
Department of Tribal Affairs (Plain), Assam.

**STATEMENT OF OBJECTS AND REASONS**

The bill proposes to Amendment of the Sonowal Kachari Autonomous Council Act, 2005 to remove the provisions of Village Council.

Due to the presence of a functioning Panchayati Raj System at the grass root level, another similar organization in the name of Village Councils under the Act is not required.

**RANOJ PEGU,**

Minister,

Department of Tribal Affairs (Plain), Assam.

**HEMEN DAS,**

Principal Secretary,

Assam Legislative Assembly.

**THE TEWA AUTONOMOUS COUNCIL (AMENDMENT) BILL, 2024****A  
BILL**

further to amend the Tiwa Autonomous Council Act, 1995.

**Preamble**

Whereas it is expedient further to amend the Tiwa Autonomous Council Act, 1995, hereinafter referred to as the principal Act, in the manner hereinafter appearing;

**Assam Act No.  
XXV of 1995**

It is hereby enacted in the Seventy-fifth Year of the Republic of India, as follows :-

**Short title, extent  
and  
commencement**

1. (1) This Act may be called the Tiwa Autonomous Council (Amendment) Act, 2024.
- (2) It shall have the like extent as the principal Act.
- (3) It shall come into force at once.

**Amendment of  
section 2**

2. In the principal Act, in section 2,
  - (i) in clause (i), the words “and ‘Village Council Fund’ ” shall be deleted;
  - (ii) in clause (l), the words “the Village Council or” shall be deleted;
  - (iii) clause (r) and clause(s) shall be deleted.
  - (iv) in clause (v), for the words “Welfare of Plain Tribes and Backward Classes” the words “Tribal Affairs (Plain)” shall be substituted.

**Amendment of  
section 3**

3. In the principal Act, in section 3, in sub-section (1), in the third line, the words “of the Village Councils” appearing in between the words “areas” and “as may be” shall be deleted.

**Omission of  
section 4**

4. In the principal Act, section 4, shall be omitted.

**Amendment of  
section 20**

5. In the principal Act, in section 20, sub-section (5), shall be deleted.

**Amendment of  
section 23**

6. In the principal Act, in section 23, in sub-section (1), for the figures and punctuation marks “, 18. 19. 43 and 44” the figure and word “18 and 19” shall be substituted.

**Omission of  
sections 31 to 47**

7. In the principal Act, after section 30, the words, “CHAPTER V, THE VILLAGE COUNCIL, and sections 31 TO 42 and CHAPTER VI, POWERS AND FUNCTIONS OF THE VILLAGE COUNCIL”, and sections 43 to 47 shall be omitted.

**Amendment of  
section 48**

8. In the principal Act, in section 48,
  - (i) sub-section (1) shall be deleted and sub-sections (2) and (3) shall be renumbered as sub- sections (1) and (2) respectively;

- (ii) in sub-section (2), so renumbered, in the third line, the words "the Village Council Area or" and in the fifth line, the words "the Village Council and" shall be deleted.
- Amendment of section 50      9. In the principal Act, in section 50,
- (i) in sub-section (1), in the fourth and sixth line, for the word "Village" the word "General" shall be substituted;
- (ii) sub-section (2) shall be deleted and sub-section (3), (4) and (5) shall be renumbered as sub-sections (2), (3) and (4) respectively;
- (iii) for sub-section (2), so renumbered, the following shall be substituted, namely:-
- "(2) Persons whose names are included in the electoral roll as per sub-section (1) above, shall be the electorate for the election of members of the General Council."
- (iv) in sub-section (4) so renumbered, in the second line, the words "the Village Councils and" appearing in between the words "election to" and "the General" shall be deleted.
- Amendment of section 52      10. In the principal Act, in section 52, in the fourth line, the words "and the Village Council" appearing in between the words "Council" and "shall be" shall be deleted.
- Amendment of section 53      11. In the principal Act, in section 53,
- (i) in the marginal heading, the words "Village Council or" shall be deleted;
- (ii) in the second line, the words "either the Village Council or" appearing in between the words "member of" and "the General" shall be deleted; and in last line,
- for the word and brackets "(e)" appearing in between the words "clause" and "of" the word and bracket, "(f)" shall be substituted.
- Amendment of section 54      12. In the principal Act, in section 54,
- (i) in the marginal heading, the words "Village Council and for" shall be deleted;
- (ii) in the beginning, in first line, the bracket and number "(i)", appearing in between the figures "54" and words "A person" shall be deleted;
- (iii) in the second line, for the words "either to the Village Council or" appearing in between the words "elected" and "the General" the word "to" shall be substituted;
- (iv) in clause (e), in the fourth line, the words "Village Council" appearing in between the words "of the" and "General" shall be deleted;

- (v) in clause (h), in the proviso, in the third line, for the words "a member, President or Vice-President of the Village Council or" appearing in between the words "his being" and "a member," shall be deleted.
- Amendment of section 57      13. In the principal Act, in section 57, in the first line, for the words "Village Councils or" and in the fourth line, for the words "the Village Councils and" shall be deleted.
- Amendment of section 58      14. In the principal Act, for section 58, the following shall be substituted, namely:-  
 "58. If an elected member is chosen to be a Member of Parliament or the State Legislature then at the expiration of fourteen days from the date of publication in the Gazette of India or the Official Gazette, as the case may be, of the declaration that he has been so chosen, the seat of such member in the General Council shall become vacant unless he has previously resigned his seat in the Parliament or the State Legislature, as the case may be."
- Amendment of section 59      15. In the principal Act, in section 59,  
 (i) in sub-section (1), for the proviso, the following shall be substituted, namely:-  
 "Provided that no person below the rank of District Judge within the meaning of Article 236 of the Constitution shall be appointed for the purpose ."  
 (ii) in sub-section (2), in clause (a), in the third line, the words "the Village Council or" and in the fourth line, the words and punctuation mark ", as the case may be" shall be deleted.
- Amendment of section 60      16. In the principal Act, in section 60, in fourth line, the words "to the Village Councils and" appearing in between the words "election" and "to the" shall be deleted.
- Amendment of section 61      17. In the principal Act, in section 61,  
 (i) in the marginal heading, the words "and Village Council Fund" shall be deleted;  
 (ii) for sub-section (1), the following shall be substituted, namely:-  
 "(1) There shall be a fund called the General Council Fund.";   
 (iii) in sub-section (2),  
 (a) in the first line, in the beginning, for the word "Each", the word "The" shall be substituted;  
 (b) in the fifth line, the words and punctuation mark "or the Village Council, as the case may be," shall be deleted;  
 (c) in the last line, for the words "its respective" the words "this" shall be substituted;

- (iv) sub-section (3) to (12) shall be deleted;
  - (v) sub-section (13) shall be renumbered as sub-section (3) and as so renumbered, in sub-section (3), in the second line, the words, "and the Village Council" appearing in between the words "Council" and "shall be" shall be deleted.
- Amendment of section 62      18. In the principal Act, in section 62, in the sixth line, the words "and Village Council" and in the twelfth, fourteenth and eighteenth lines, the words "and the Village Councils" shall be deleted.
- Amendment of section 63      19. In the principal Act, in section 63,
- (i) in sub-section (1), the words, "The Village Councils also shall prepare its budget in the like manner and shall submit the same to the General Council for consideration and onward transmission to the Government on or before the 1st October of the current financial year." shall be deleted;
  - (ii) for sub-section (2), the following shall be substituted, namely:-  
 "(2) The Government may within such time as may be prescribed, either approve the budget or return it to the General Council, for reconsideration on the observations of the Governments, if any. The General Council shall thereupon resubmit the budget along with its comments on the observation and if the approval of the Government upon such submission or resubmission is not received by the General Council, the budget shall be deemed to have been approved by the Government".
  - (iii) in sub-section (3), in the second line, for the words "as well as the budget of the Village Councils are" appearing in between the words "Council" and "either" the word "is" shall be substituted.
- Amendment of section 64      20. In the principal Act, in section 64, in the third line, the words "or the Village Councils" appearing in between the words "Council" and "as the case" shall be deleted.
- Amendment of section 67      21. In the principal Act, in section 67, in the beginning, the number and brackets "(1)" appearing before the word "Subject" and the sub-sections (2) and (3) shall be deleted.
- Amendment of section 68      22. In the principal Act, in section 68,
- (i) in the marginal heading, for the words and punctuation mark, "Dissolution of General Council, Executive Council, and Village Council" the words "Dissolution of General Council and Executive Council" shall be substituted;
  - (ii) in sub-section (1), in tenth line, for the words and punctuation mark " , the Executive Council and the Village Council" and in thirteenth line, for the



words and punctuation mark “, the Executive Council and the Village Councils”, the words “ and the Executive Council” shall be substituted.

- |                         |   |
|-------------------------|---|
| Amendment of section 69 | 23. In the principal Act, in section 69,<br>(i) in clause (a), in the second line, for the words and punctuation mark “, Executive Council and the Village Councils”, the words “and the Executive Council” shall be substituted;<br>(ii) in clause (b), in the second line, for the words and punctuation mark “, Executive Council and the Village Councils”, the words “and the Executive Council” shall be substituted. |
| Amendment of section 72 | 24. In the principal Act, for section 72, the following shall be substituted, namely:-<br><br>“72. The Chief Executive Councilor, Deputy Chief Executive Councilor, the Executive Chairman of the General Council shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code, 1860 or sub-section (28) of section 2 of the Bharatiya Nyaya Sanhita, 2023.”                             |
| Amendment of section 73 | 25. In the principal Act, in section 73, in the second line, the words and punctuation mark “or the Village Council,” appearing in between the words “Council” and “the case” shall be deleted.   |
| Amendment of section 74 | 26. In the principal Act, in section 74, in the third line, the words “or the Village Council” appearing in between the words “Council” and “or any member” shall be deleted.   |
| Amendment of section 80 | 27. In the principal Act, in section 80, in the third line, the words “to perform in addition, the functions of the Village Councils” appearing in between the words “there-from” and “till the” shall be deleted.  |

Central Act No 45  
of 1860

Central Act No 45  
of 2023

**FINANCIAL MEMORANDUM**

The bill proposes for Amendment of the Tiwa Autonomous Council Act, 1995 to remove the provisions of Village Council will not have financial burden on the State Exchequer.

**RANOJ PEGU,**  
Minister,  
Department of Tribal Affairs (Plain), Assam.

**MEMORANDUM OF DELEGATED LEGISLATION**

The Bill involves no proposals for delegation of legislative power to anyone.

**RANOJ PEGU,**  
Minister,  
Department of Tribal Affairs (Plain), Assam.

**STATEMENT OF OBJECTS AND REASONS**

The bill proposes to Amendment of the Tiwa Autonomous Council Act, 1995 to remove the provisions of Village Council.

Due to the presence of a functioning Panchayati Raj System at the grass root level, another similar organization in the name of Village Councils under the Act is not required.

**RANOJ PEGU,**

Minister,

Department of Tribal Affairs (Plain), Assam.

**HEMEN DAS,**

Principal Secretary,

Assam Legislative Assembly.

## THE DEORI AUTONOMOUS COUNCIL (AMENDMENT) BILL, 2024

### A

### BILL

further to amend the Deori Autonomous Council Act, 1995.

Preamble	Whereas it is expedient further to amend the Deori Autonomous Council Act, 1995, hereinafter referred to as the principal Act, in the manner hereinafter appearing;	<b>Assam Act No. XXV of 2005</b>
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It is hereby enacted in the Seventy-fifth Year of the Republic of India, as follows :-

- |                                      |   |
|--------------------------------------|---|
| Short title, extent and commencement | <ol style="list-style-type: none"> <li>1. (1) This Act may be called the Deori Autonomous Council (Amendment) Act, 2024.</li> <li>(2) It shall have the like extent as the principal Act.</li> <li>(3) It shall come into force at once.</li> </ol>   |
| Amendment of section 2               | <ol style="list-style-type: none"> <li>2. In the principal Act, in section 2,               <ol style="list-style-type: none"> <li>(i) in clause (g), the words “and ‘Village Council Fund’” shall be deleted;</li> <li>(ii) in clause (l), the words “the Village Council or” shall be deleted;</li> <li>(iii) clause (r) and clause(s) shall be deleted.</li> </ol> </li> </ol> |
| Amendment of section 3               | <ol style="list-style-type: none"> <li>3. In the principal Act, in section 3, in sub-section (1), in the third line, the words “of the Village Councils” appearing in between the words “areas” and “as may be” shall be deleted.</li> </ol>  |
| Omission of section 4                | <ol style="list-style-type: none"> <li>4. In the principal Act, section 4, shall be omitted.</li> </ol>   |
| Amendment of section 20              | <ol style="list-style-type: none"> <li>5. In the principal Act, in section 20, sub-section (5), shall be deleted.</li> </ol>  |
| Amendment of section 23              | <ol style="list-style-type: none"> <li>6. In the principal Act, in section 23, in sub-section (1), in the sixth line, for the figures and punctuation marks “, 18, 19, 43 and 44 the figure and words “18 and 19” shall be substituted.</li> </ol>  |
| Omission of section 31 to 47         | <ol style="list-style-type: none"> <li>7. In the principal Act, after section 30, “THE CHAPTER V, THE VILLAGE COUNCIL, SECTIONS 31 TO 42 AND CHAPTER VI, ‘POWERS AND FUNCTIONS OF THE VILLAGE COUNCIL’, sections 43 to 47 shall be omitted.</li> </ol>  |
| Amendment of section 48              | <ol style="list-style-type: none"> <li>8. In the principal Act, in section 48,               <ol style="list-style-type: none"> <li>(i) sub-section (1) shall be deleted and sub-section (2) and (3) shall be renumbered as sub-section (1) and (2) respectively;</li> </ol> </li> </ol>  |

- (ii) in sub-section (2), so renumbered, in the third line, the words "the Village Council Area or" and in the fifth line, the words "the Village Council and" shall be deleted.
- Amendment of section 50      9. In the principal Act, in section 50,
- (i) in sub-section (1), in the fourth and sixth line, for the word "Village" the word "General" shall be substituted;
- (ii) sub-section (2) shall be deleted and sub-section (3) and (4) shall be renumbered as sub-sections (2) and (3) respectively;
- (iii) for sub-section (2), so renumbered, the following shall be substituted, namely:-
- "(2) Persons whose names are included in the electoral roll as per sub-section (1) above, shall be the electorate for the election of members of the General Council."
- Amendment of section 52      10. In the principal Act, in section 52, in the third line, the words "and the Village Council" appearing in between the words "Council" and "shall be" shall be deleted.
- Amendment of section 53      11. In the principal Act, in section 53, in the marginal heading, the words "Village Council or" and in the second line, the words "either the Village Council or" appearing in between the words "member of" and "the General" shall be deleted.
- Amendment of section 54      12. In the principal Act, in section 54,
- (i) in the marginal heading, the words "Village Council and for" shall be deleted;
- (ii) in sub-section (1), in the first line, for the words "either to the Village Council or" appearing in between the words "elected" and "the General" the word "to" shall be substituted;
- (iii) in clause (c), in the third line, the words and punctuation mark "Village Council," appearing in between the words "of the" and "General" shall be deleted;
- (iv) in clause (h), in the proviso, in the third line, for the words "a member, President or Vice-President of the Village Council or" appearing in between the words "his being" and "a member," shall be deleted.
- Amendment of section 57      13. In the principal Act, in section 57, in the first line, for the words "Village Councils and" and in the third line, for the words "the Village Councils and" shall be deleted.
- Amendment of section 58      14. In the principal Act, for section 58, the following shall be substituted, namely:-

“58. If an elected member is chosen to be a Member of Parliament or the State Legislature then at the expiration of fourteen days from the date of publication in the Gazette of India or the Official Gazette, as the case may be, of the declaration that he has been so chosen, the seat of such member in the General Council shall become vacant unless he has previously resigned his seat in the Parliament or the State Legislature, as the case may be.”

Amendment of  
section 59

15. In the principal Act, in section 59,
  - (i) in sub-section (1), in the proviso, in the first line, the words and punctuation mark “Assistant District Judge, in case of member of Village Council and” and in the fourth line, for the words and punctuation mark “in case of member of the General Council,” respectively shall be deleted;
  - (ii) in sub-section (2), in clause (a), in the third line, the words “the Village Council or” and in the fourth line, the words and punctuation mark “, as the case may be” shall be deleted.

Amendment of  
section 60

16. In the principal Act, in section 60, in the third line, the words “to the Village Councils and” appearing in between the words “election” and “to the” shall be deleted.

Amendment of  
section 61

17. In the principal Act, in section 61,
  - (i) in the marginal heading, the words “and Village Council Fund” shall be deleted;
  - (ii) for sub-section (1), the following shall be substituted, namely:-
 

“(1) There shall be a fund called the General Council Fund.”;
  - (iii) in sub-section (2),
    - (a) in the first line, in the beginning, for the word “Each”, the word “The” shall be substituted;
    - (b) in the fifth line, the words and punctuation mark “or the Village Council, as the case may be,” shall be deleted;
    - (c) in the last line, for the words “its respective” the words “this” shall be substituted;
  - (iv) the sub-sections (3), (4), (5), (6), (7), (8), (9), (10), (11) and (12) shall be deleted;
  - (v) sub-section (13) shall be renumbered as sub-section (3) and as so renumbered, in sub-section (3), in the first line, the words, “and the Village Council” appearing in between the words “Council” and “shall be” shall be deleted.



- Amendment of section 62      18. In the principal Act, in section 62, in the fifth line, the words “and Village Council” and in the tenth, twelfth, and sixteenth lines, the words “and the Village Councils” shall be deleted.
- Amendment of section 63      19. In the principal Act, in section 63,
- (i) in sub-section (1), the words, “The Village Councils also shall prepare its budget in the like manner and shall submit the same to the General Council for consideration and onward transmission to the Government on or before the 1st October of the current financial year.” shall be deleted;
  - (ii) for sub-section (2), the following shall be substituted, namely:-

“(2) The Government may within such time as may be prescribed, either approve the budget or return it to the General Council, for reconsideration on the observations of the Governments, if any. The General Council shall thereupon resubmit the budget along with its comments on the observation and if the approval of the Government upon such submission or resubmission is not received by the General Council, the budget shall be deemed to have been approved by the Government”.
  - (iii) in sub-section (3), in the second line, for the words “as well as the budget of the Village Councils are” appearing in between the words “Council” and “either” the word “is” shall be substituted.
- Amendment of section 64      20. In the principal Act, in section 64, in the third line, the words “or the Village Councils” appearing in between the words “Council” and “as the case” shall be deleted.
- Amendment of section 67      21. In the principal Act, in section 67, in the first line, in the beginning, the number and brackets “(1)” appearing before the word “Subject” and the sub-sections (2) and (3) shall be deleted.
- Amendment of section 68      22. In the principal Act, in section 68,
- (i) in the marginal heading, for the words and punctuation mark, “Dissolution of General Council, Executive Council, and Village Council” the words “Dissolution of General Council and Executive Council” shall be substituted;
  - (ii) in sub-section (1), in the ninth line, for the words and punctuation mark “, the Executive Council and the Village Council” and in the eleventh line, for the words and punctuation mark “, the Executive Council and the Village Councils”, the words “ and the Executive Council” shall be substituted.

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| Amendment of section 69 | <p>23. In the principal Act, in section 69,</p> <p>(i) in clause (a), in the first line, for the words and punctuation mark “, Executive Council and the Village Councils”, the words “and the Executive Council” shall be substituted;</p> <p>(ii) in clause (b), in the first line, for the words and punctuation mark “, Executive Council and the Village Councils”, the words “and the Executive Council” shall be substituted.</p> |  |
| Amendment of section 72 | <p>24. In the principal Act, for section 72, the following shall be substituted, namely :-</p> <p>“72. The Chief Executive Councilor and the Executive Councilors of the General Council shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code or sub-section (28) of section 2 of the Bharatiya Nyaya Sanhita, 2023.”.</p>  | <p>Central Act No 45 of 1860</p> <p>Central Act No. 45 of 2023</p> |
| Amendment of section 73 | <p>25. In the principal Act, in section 73, in the second line, the words and punctuation mark “or the Village Council,” appearing in between the words “Council” and “as the case” shall be deleted.</p>  |  |
| Amendment of section 74 | <p>26. In the principal Act, in section 74, in the second line, the words “or the Village Council” appearing in between the words “Council and “or any member” shall be deleted.</p>   |  |
| Amendment of section 80 | <p>27. In the principal Act, in section 80, the punctuation mark and words “, The Interim Executive Council shall, in addition, look after the duties of the Village Councils till the same are constituted under this Act” shall be deleted.</p>  |  |

**FINANCIAL MEMORANDUM**

The bill proposes for Amendment of the Deori Autonomous Council Act, 2005 to remove the provisions of Village Council will not have financial burden on the State Exchequer.

**RANOJ PEGU,**  
Minister,  
Department of Tribal Affairs (Plain), Assam.

**MEMORANDUM OF DELEGATED LEGISLATION**

The Bill involves no proposals for delegation of legislative power to anyone.

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Minister,  
Department of Tribal Affairs (Plain), Assam.

**STATEMENT OF OBJECTS AND REASONS**

The bill proposes to Amendment of the Deori Autonomous Council Act, 2005 to remove the provisions of Village Council.

Due to the presence of a functioning Panchayati Raj System at the grass root level, another similar organization in the name of Village Councils under the Act is not required.

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Principal Secretary,  
Assam Legislative Assembly.